

## SEVENTEENTH DAY.

(Continued.)

(Tuesday, May 8, 1923.)

The House met at 9 o'clock a. m. and was called to order by Speaker Seagler.

## TO LIMIT DEBATE.

The Speaker laid before the House, for consideration at this time, resolution heretofore offered by Mr. Price, relating to debate on the floor of the House.

The resolution having heretofore been read second time.

Mr. Carpenter of Dallas moved the previous question on the pending resolution, and the main question was ordered.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was lost by the following vote, not receiving the necessary two-thirds vote:

## Yeas—55.

Amsler.	Montgomery.
Baker of Orange.	Lewis.
Beasley.	McBride.
Bonham.	McDonald.
Carpenter	McKean.
of Dallas.	McNatt.
Carpenter	Martin.
of Matagorda.	Pate.
Carson.	Perdue.
Carter of Hays.	Potter.
Chitwood.	Price.
Collins.	Purl.
Covey.	Quaid.
Duffey.	Quinn.
Edwards.	Russell
Faubion.	of Callahan.
Fugler.	Sackett.
Gipson.	Sanford.
Hardin of Erath.	Satterwhite.
Harrington.	Shearer.
Henderson	Shires.
of Marion.	Stewart of Reeves.
Hull.	Stroder.
Irwin.	Sweet.
Jacks.	Teer.
Jennings.	Thrasher.
Johnson.	Westbrook.
Lackey.	Wilmans.
Lane.	Young.
LeMaster.	

## Nays—50.

Abney.	Bird.
Arnold.	Burmeister.
Atkinson.	Cable.
Barker.	Coffee.

Cowen.	McFarlane.
Davenport.	Merritt.
Davis.	Miller.
DeBerry.	Moore.
Dodd.	Morgan
Downs.	of Liberty.
Dunn.	Patman.
Durham.	Patterson.
Fields.	Pope.
Frnka.	Rice.
Hardin	Rogers.
of Kaufman.	Rowland.
Harris.	Russell of Trinity.
Henderson	Sparkman.
of McLennan.	Stell.
Hendricks.	Stevens.
Howeth.	Stewart of Jasper.
Jones.	Storey.
Kemble.	Wallace.
Laird.	Wessels.
Loftin.	Williamson.
Looney.	Wilson.
McDaniel.	Winfree.

## Absent.

Avis.	LeSturgeon.
Baker of Milam.	Mathes.
Baldwin.	Maxwell.
Barrett.	Melson.
Bell.	Morgan
Bobbitt.	of Robertson.
Bryant.	Pool.
Crawford.	Robinson.
Culp.	Simpson.
Dielmann.	Smith.
Dinkle.	Stewart
Driggers.	of Edwards.
Dunlap.	Stiernberg.
Finlay.	Strickland.
Green.	Thompson.
Greer.	Turner.
Houston.	Vaughan.
Lamb.	Wells.

## Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

## BILLS ORDERED NOT PRINTED.

On motion of Mr. DeBerry, Senate bill No. 53 was ordered not printed.

On motion of Mr. Burmeister, Senate bill No. 38 was ordered not printed.

## BILL RE-REFERRED.

On motion of Mr. Sweet, House bill No. 186 was withdrawn from the Committee on Labor and referred to the Committee on State Affairs.

## SPECIAL ORDER SET.

On motion of Mr. Stewart of Reeves, by unanimous consent, all local bills

were set as a special order for 5 o'clock p. m. Wednesday.

# HOUSE BILL NO. 41 ON ENGROSSMENT.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 41, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them for the two fiscal years beginning September 1, 1923, and ending August 31, 1925, as follows, to wit: Confederate Woman's Home; State Confederate Home; State Lunatic Asylum; State Pasteur Institute; Southwestern Insane Asylum; North Texas Hospital for the Insane; East Texas Hospital for the Insane; State Epileptic Colony; State Orphan Home; State Institution for Training of Juveniles; Girls' Training School; State Colony for Feeble-Minded; State Tuberculosis Sanatorium; Hospital for Crippled Children; Deaf, Dumb and Blind Institute for Colored Youths; Northwest Texas Insane Asylum; State Home for Dependent and Neglected Children."

The bill having heretofore been read second time.

Mr. Pope offered the following amendment to the section of the bill relating to the Girls' Training School:

Amend House bill No. 41 by striking out lines 22 to 32, page 16, and lines 9 to 24, page 17, and insert the following:

Any personal property belonging to said institution necessary to be sold shall only be sold or disposed of by the superintendent and all proceeds from the sale of any such property, and from labor performed, and all proceeds from the sale of crops shall be paid into the State Treasury and shall become a part of the State general fund, and a complete statement of all such transactions shall be made in the annual report of said institution.

All salaries shall be paid in twelve equal monthly installments except as otherwise herein provided, and all employes may receive board except when otherwise stated.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no deficiency shall be created and no war-

rant shall be issued and no expenditures shall be made nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of said purposes.

That if any work be not done or the place not filled by the appointment of a person for whom a salary is herein fixed, then such salary shall lapse and be returned to or left in the State Treasury; and provided further, that no person for whom any salary is herein fixed shall be allowed to draw more than the amount of such salary from any other salary or amount herein fixed or from any fees authorized to be charged or from any other source or from any State fund or funds under the control of the governing authority of such particular institution; and provided further, that if any amount herein fixed for any particular purpose be not used for such purpose in whole or in part the unused portion of such fixed amount shall be returned to or left in the State Treasury.

The superintendent of said institution shall keep an accounting of all purchases made for and on behalf of said institution and indicate in his annual report as herein required to be made the cost of all purchases which are higher in price than such superintendent would have been required to pay therefor if permitted to take competitive bids and make said purchases himself.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—49.

Abney.	Henderson
Amsler.	of McLennan.
Arnold.	Howeth.
Atkinson.	Laird.
Barker.	Looney.
Bird.	McBride.
Bonham.	McDaniel.
Cable.	Merritt.
Carson.	Patman.
Crawford.	Perdue.
Davenport.	Pope.
Davis.	Quinn.
DeBerry.	Rice.
Dodd.	Rogers.
Downs.	Rowland.
Duffey.	Russell
Durham.	of Callahan.
Fields.	Shearer.
Gipson.	Simpson.
Greer.	Sparkman.
Hardin	Stell.
of Kaufman.	Stevens.

Stewart	Vaughan.
of Edwards.	Westbrook.
Stewart of Jasper.	Wessels.
Storey.	Young.
Thompson.	

## Nays—50.

Baker of Orange.	Lackey.
Beasley.	Lane.
Burmeister.	LeMaster.
Carpenter	McDonald.
of Matagorda.	McKean.
Carter of Hays.	McNatt.
Chitwood.	Martin.
Collins.	Miller.
Cowen.	Moore.
Driggers.	Patterson.
Dunlap.	Potter.
Dunn.	Purl.
Edwards.	Quaid.
Faubion.	Robinson.
Finlay.	Russell of Trinity.
Fugler.	Sackett.
Hardin of Erath.	Sanford.
Harrington.	Satterwhite.
Harris.	Stewart of Reeves.
Henderson	Stroder.
of Marion.	Sweet.
Hendricks.	Thrasher.
Hull.	Williamson.
Irwin.	Wilmons.
Jacks.	Wilson.
Jennings.	Winfree.
Kemble.	

## Present—Not Voting.

Mr. Speaker.	Price.
Bryant.	

## Absent.

Avis.	Loftin.
Baker of Milam.	McFarlane.
Baldwin.	Mathes.
Barrett.	Maxwell.
Bell.	Melson.
Bobbitt.	Montgomery.
Carpenter	Morgan
of Dallas.	of Liberty.
Coffee.	Morgan
Covey.	of Robertson.
Culp.	Pate.
Dielmann.	Pool.
Dinkle.	Shires.
Frnka.	Smith.
Green.	Stiernberg.
Houston.	Strickland.
Johnson.	Teer.
Jones.	Turner.
Lamb.	Wallace.
LeSturgeon.	Wells.
Lewis.	

## Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

Mr. Purl offered the following amendment to this section of the bill:

Amend House bill No. 41 by adding the following between lines 23 and 24 of page 16: "Provided that no juvenile committed to this institution shall be paroled to any person, firm, corporation, institution or charitable organization of whatever name or character whatsoever for a consideration of any kind."

Mr. Westbrook moved the previous question on the amendment, and the main question was ordered.

Mr. Gipson, by unanimous consent, offered the following amendment to the amendment:

Amend the amendment by adding thereto "without the written approval of the judge issuing the commitment."

The amendment to the amendment was adopted.

Question then recurring on the amendment as amended, it was adopted.

Mr. Pope offered the following amendment to this section of the bill:

Amend House bill No. 41 by striking out lines 7 and 8 and all of line 6 after the word "the," page 17, and insert the following: "Comptroller of the State of Texas."

Mr. Quaid moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—68.

Arnold.	Hardin
Baker of Milam.	of Kaufman.
Beasley.	Harrington.
Bell.	Harris.
Bird.	Henderson
Burmeister.	of Marion.
Carpenter	Hendricks.
of Dallas.	Irwin.
Carpenter	Jacks.
of Matagorda.	Jennings.
Carson.	Jones.
Carter of Hays.	Kemble.
Chitwood.	Lackey.
Coffee.	Lane.
Cowen.	LeMaster.
Duffey.	Loftin.
Dunlap.	McBride.
Dunn.	McDonald.
Durham.	McKean.
Edwards.	McNatt.
Faubion.	Martin.
Finlay.	Mathes.
Fugler.	Maxwell.
Gipson.	Merritt.
Green.	Montgomery.
Hardin of Erath.	Moore.

Morgan	Shires.
of Liberty.	Smith.
Morgan	Sparkman.
of Robertson.	Stewart of Reeves.
Patterson.	Stiernberg.
Potter.	Storey.
Purl.	Sweet.
Quaid.	Thrasher.
Robinson.	Wells.
Russell of Trinity.	Williamson.
Sackett.	Wilmans.
Satterwhite.	Wilson.

## Nays—42.

Abney.	McDaniel.
Amsler.	McFarlane.
Barker.	Perdue.
Barrett.	Pope.
Bonham.	Quinn.
Cable.	Rice.
Collins.	Rogers.
Crawford.	Rowland.
Culp.	Russell
Davenport.	of Callahan.
DeBerry.	Shearer.
Dodd.	Simpson.
Downs.	Stell.
Fields.	Stevens.
Frnka.	Stewart
Greer.	of Edwards.
Henderson	Stewart of Jasper.
of McLennan.	Stroder.
Houston.	Vaughan.
Howeth.	Westbrook.
Johnson.	Wessels.
Laird.	Young.
Looney.	

## Present—Not Voting.

Bryant.

## Absent.

Atkinson.	Melson.
Avis.	Miller.
Baker of Orange.	Pate.
Baldwin.	Patman.
Bobbitt.	Pool.
Covey.	Price.
Davis.	Sanford.
Dielmann.	Strickland.
Dinkle.	Teer.
Driggers.	Thompson.
Hull.	Turner.
Lamb.	Wallace.
LeSturgeon.	Winfree.
Lewis.	

## Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

Mr. Wallace offered the following amendment to this section of the bill: Amend House bill No. 41, page 16, line 9, by inserting after the word "ex-

penses" the following: "No part of which shall be used for any trip other than State business."

Signed—Wallace, Quaid.

The amendment was adopted.

Mr. Wessels offered the following amendment to this section of the bill:

Amend House bill No. 41, page 16, by striking out all on lines 14, 15 and 16.

On motion of Mr. Irwin, the amendment was tabled.

Mr. Beasley offered the following amendment to the section of the bill relating to the Deaf, Dumb and Blind Institute for Colored Youths:

Amend House bill No. 41, page 18 of printed bill, by striking out all of lines 4, 16 and 26.

The amendment was adopted.

Mr. Dodd offered the following amendment to this section of the bill:

Amend House bill No. 41 by striking out "\$1150" in line 19, page 19, and insert "\$600."

Mr. Beasley offered the following substitute for the amendment:

Amend House bill No. 41, page 19, line 19, by striking out the figures "1,150.00" and insert in lieu thereof the figures "600.00"; also by striking out the figures "1,000.00—1,000.00" in line 37.

The substitute was adopted.

Question then recurring on the amendment as substituted, it was adopted.

Mr. Wallace offered the following amendment to this section of the bill:

Amend House bill No. 41, page 19, line 32, by adding the following after the word "expense": "No part shall be used for any trip other than State business."

The amendment was adopted.

Mr. Pope offered the following amendment to this section of the bill:

Amend House bill No. 41 by striking out lines 36, 38, 39 and 40, page 19, and lines 4 and 5, page 20.

Mr. Harrington moved to table the amendment.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

## Yeas—60.

Arnold.	Carson.
Baker of Milam.	Carter of Hays.
Baldwin.	Chitwood.
Beasley.	Coffee.
Bell.	Covey.
Burmeister.	Cowen.
Cable.	Dielmann.

Dunlap.	Martin.
Dunn.	Montgomery.
Durham.	Moore.
Edwards.	Morgan
Faubion.	of Liberty.
Fugler.	Patterson.
Gipson.	Potter.
Green.	Quaid.
Hardin of Erath.	Robinson.
Harrington.	Russell of Trinity.
Harris.	Sackett.
Henderson	Satterwhite.
of Marion.	Smith.
Hendricks.	Stewart of Reeves.
Irwin.	Stiernberg.
Jacks.	Storey.
Jennings.	Stroder.
Jones.	Sweet.
Kemble.	Thrasher.
Lane.	Wallace.
Loftin.	Wells.
McDonald.	Williamson.
McKean.	Wilmans.
McNatt.	Wilson.

## Nays—54.

Abney.	Looney.
Amsler.	McBride.
Baker of Orange.	McDaniel.
Barker.	McFarlane.
Barrett.	Merritt.
Bird.	Miller.
Bonham.	Pate.
Carpenter	Perdue.
of Dallas.	Pope.
Carpenter	Quinn.
of Matagorda.	Rice.
Culp.	Rogers.
Davenport.	Rowland.
Davis.	Russell
DeBerry.	of Callahan.
Dodd.	Shearer.
Downs.	Simpson.
Driggers.	Sparkman.
Duffey.	Stell.
Fields.	Stevens.
Finlay.	Stewart
Frnka.	of Edwards.
Greer.	Stewart of Jasper.
Henderson	Teer.
of McLennan.	Thompson.
Houston.	Vaughan.
Howeth.	Westbrook.
Lackey.	Wessels.
Laird.	Young.
LeMaster.	

## Present—Not Voting.

Bryant.

## Absent.

Atkinson.	Dinkle.
Avis.	Hardin
Bobbitt.	of Kaufman.
Collins.	Hull.
Crawford.	Johnson.

Lamb.	Pool.
LeSturgeon.	Price.
Lewis.	Purl.
Mathes.	Sanford.
Maxwell.	Shires.
Melson.	Strickland.
Morgan	Turner.
of Robertson.	Winfree.
Patman.	

## Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

Mr. Pope offered the following amendment to this section of the bill:

Amend House bill No. 41 by striking out lines 10 to 21 and lines 38 to 40, page 20, and lines 1 to 13, page 21, and insert the following:

Any personal property belonging to said institution necessary to be sold shall only be sold or disposed of by the superintendent, and all proceeds from the sale of any such property, and from labor performed, and all proceeds from the sale of crops shall be paid into the State Treasury and shall become a part of the State general fund, and a complete statement of all such transactions shall be made in the annual report of said institution.

All salaries shall be paid in twelve equal monthly installments except as otherwise herein provided, and all employes may receive board except when otherwise stated.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no deficiency shall be created and no warrant shall be issued and no expenditures shall be made, nor shall any obligations be incurred which, added to the actual expenditures, will exceed the amounts herein appropriated for either of said purposes.

That if any work be not done or the place not filled by the appointment of a person for whom a salary is herein fixed, then such salary shall lapse and be returned to or left in the State Treasury; and provided further, that no person for whom any salary is herein fixed shall be allowed to draw more than the amount of such salary from any other salary or amount herein fixed or from any fees authorized to be charged or from any other source or from any State fund or funds under the control of the governing authority of such particular institution; and provided fur-

ther, that if any amount herein fixed for any particular purpose be not used for such purpose in whole or in part the unused portion of such fixed amount shall be returned to or left in the State Treasury.

The superintendent of said institution shall keep an accounting of all purchases made for and on behalf of said institution and indicate in his annual report as herein required to be made, the cost of all purchases which are higher in price than such superintendent would have been required to pay therefor if permitted to take competitive bids and make such purchases himself.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—56.

Abney.	LeMaster.
Amsler.	Looney.
Arnold.	McBride.
Atkinson.	McDaniel.
Barker.	McFarlane.
Barrett.	Merritt.
Bird.	Pate.
Bonham.	Perdue.
Cable.	Pope.
Carpenter	Quinn.
of Dallas.	Rice.
Crawford.	Rowland.
Davenport.	Russell
Davis.	of Callahan.
DeBerry.	Shearer.
Dielmann.	Simpson.
Dodd.	Sparkman.
Downs.	Stell.
Duffey.	Stevens.
Fields.	Stewart
Finlay.	of Edwards.
Frnka.	Stewart of Jasper.
Greer.	Storey.
Hardin	Stroder.
of Kaufman.	Teer.
Henderson	Thompson.
of McLennan.	Vaughan.
Howeth.	Westbrook.
Lackey.	Wessels.
Laird.	Young.
Lane.	

## Nays—53.

Baker of Milam.	Carter of Hays.
Baker of Orange.	Chitwood.
Baldwin.	Coffee.
Beasley.	Cowen.
Bell.	Driggers.
Burmeister.	Dunlap.
Carpenter	Dunn.
of Matagorda.	Durham.
Carson.	Edwards.

Faubion.	Moore.
Fugler.	Morgan
Gipson.	of Liberty.
Green.	Patterson.
Hardin of Erath.	Pinkston.
Harrington.	Pool.
Harris.	Potter.
Henderson	Purl.
of Marion.	Quaid.
Hendricks.	Robinson.
Irwin.	Russell of Trinity.
Jacks.	Sackett.
Jennings.	Satterwhite.
Jones.	Smith.
Kemble.	Stewart of Reeves.
McDonald.	Stiernberg.
McNatt.	Sweet.
Martin.	Thrasher.
Miller.	Wells.
Montgomery.	Wilson.

Present—Not Voting.

Bryant.

Absent.

Avis.	Maxwell.
Bobbitt.	Melson.
Collins.	Morgan
Covey.	of Robertson.
Culp.	Patman.
Dinkle.	Price.
Houston.	Rogers.
Hull.	Sanford.
Johnson.	Shires.
Lamb.	Strickland.
LeSturgeon.	Turner.
Lewis.	Wallace.
Loftin.	Williamson.
McKean.	Wilmans.
Mathes.	Winfree.

Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	

Mr. Pope offered the following amendment to this section of the bill:

Amend House bill No. 41 by striking out lines 35 to 37, page 20, and insert the following: "the same to the Comptroller of the State of Texas."

Mr. Quaid moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—55.

Arnold.	Burmeister.
Baker of Milam.	Carpenter
Baker of Orange.	of Dallas.
Baldwin.	Carpenter
Beasley.	of Matagorda.
Bell.	Carson.

Carter of Hays.	McDonald.
Chitwood.	McNatt.
Coffee.	Martin.
Covey.	Mathes.
Cowen.	Merritt.
Driggers.	Montgomery.
Duffey.	Moore.
Dunlap.	Morgan
Dunn.	of Liberty.
Edwards.	Patterson.
Faubion.	Potter.
Fugler.	Quaid.
Hardin of Erath.	Robinson.
Hardin	Russell of Trinity.
of Kaufman.	Sackett.
Harrington.	Sanford.
Henderson	Satterwhite.
of Marion.	Stiernberg.
Hendricks.	Sweet.
Irwin.	Thrasher.
Jacks.	Wells.
Jennings.	Williamson.
Jones.	Wilson.
LeMaster.	Winfree.

## Nays—52.

Abney.	McDaniel.
Amsler.	McFarlane.
Atkinson.	Pate.
Barker.	Patman.
Barrett.	Perdue.
Bird.	Pope.
Bonham.	Quinn.
Cable.	Rice.
Davenport.	Rowland.
Davis.	Shearer.
DeBerry.	Simpson.
Dielmann.	Smith.
Dodd.	Sparkman.
Downs.	Stell.
Durham.	Stevens.
Fields.	Stewart
Finlay.	of Edwards.
Gipson.	Stewart of Jasper.
Greer.	Storey.
Henderson	Stroder.
of McLennan.	Teer.
Houston.	Thompson.
Howeth.	Vaughan.
Laird.	Westbrook.
Lane.	Wessels.
Looney.	Young.
McBride.	

## Absent.

Avis.	Kemble.
Bobbitt.	Lackey.
Bryant.	Lamb.
Collins.	LeStourgeon.
Crawford.	Lewis.
Culp.	Loftin.
Dinkle.	McKean.
Frnka.	Maxwell.
Green.	Melson.
Harris.	Miller.
Hull.	Morgan
Johnson.	of Robertson.

Pool.	Shires.
Price.	Stewart of Reeves.
Purl.	Strickland.
Rogers.	Turner.
Russell	Wallace.
of Callahan.	Wilmans.

## Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

(Mr. Patterson in the chair.)

Mr. Beasley offered the following amendment to the section of the bill relating to the State Tuberculosis Sanatorium:

Amend House bill No. 41, page 24 of printed bill, by striking out all of lines 6 and 7, and inserting in lieu thereof the following: "Two dormitories for men, each equipped for twenty-five patients, \$50,000."

Mr. Pope offered the following substitute for the amendment:

Amend House bill No. 41 by striking out lines 4 to 7, page 24.

Mr. Quaid moved to table the substitute.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

## Yeas—79.

Arnold.	Fugler.
Baker of Milam.	Gipson.
Baldwin.	Green.
Beasley.	Hardin of Erath.
Bell.	Harrington.
Bonham.	Harris.
Burmeister.	Henderson
Cable.	of Marion.
Carpenter	Hendricks.
of Dallas.	Hull.
Carpenter	Irwin.
of Matagorda.	Jennings.
Carson.	Jones.
Carter of Hays.	Kemble.
Chitwood.	Lane.
Collins.	McDonald.
Covey.	McFarlane.
Cowen.	McKean.
DeBerry.	McNatt.
Dielmann.	Martin.
Dinkle.	Mathes.
Dodd.	Maxwell.
Driggers.	Merritt.
Dunlap.	Miller.
Dunn.	Moore.
Durham.	Morgan
Edwards.	of Liberty.
Faubion.	Morgan
Finlay.	of Robertson.
Frnka.	Patterson.

Pool.	Stewart of Reeves.
Potter.	Stroder.
Purl.	Sweet.
Quaid.	Thrasher.
Rice.	Turner.
Robinson.	Wallace.
Russell of Trinity.	Wells.
Sackett.	Williamson.
Sanford.	Wilmans.
Satterwhite.	Wilson.
Shearer.	Winfree.
Shires.	Young.
Smith.	

Nays—38.

Abney.	LeMaster.
Amsler.	Looney.
Atkinson.	McBride.
Baker of Orange.	McDaniel.
Barker.	Pate.
Bryant.	Perdue.
Davenport.	Pope.
Davis.	Quinn.
Downs.	Rogers.
Duffey.	Rowland.
Fields.	Simpson.
Greer.	Sparkman.
Hardin	Stell.
of Kaufman.	Stevens.
Henderson	Stewart
of McLennan.	of Edwards.
Houston.	Stewart of Jasper.
Jacks.	Thompson.
Johnson.	Vaughan.
Lackey.	Westbrook.
Laird.	Wessels.

Absent.

Avis.	Loftin.
Barrett.	Melson.
Bird.	Montgomery.
Bobbitt.	Patman.
Coffee.	Price.
Crawford.	Russell
Culp.	of Callahan.
Howeth.	Stiernberg.
Lamb.	Storey.
LeStourgeon.	Strickland.
Lewis.	Teer.

Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

Question then recurring on the amendment by Mr. Beasley, it was adopted.

Mr. Beasley offered the following amendment to this section of the bill:

Amend House bill No. 41, page 23 of the printed bill, line 32, by striking out the figures "1000—1000" and insert in lieu thereof the figures "2000—2000."

The amendment was adopted.

Mr. Beasley offered the following amendment to this section of the bill:

Amend House bill No. 41, page 24 of the printed bill, line 8, by striking out the figures "2000" in the first column and insert in lieu thereof the figures "12,000," and by adding after the word "extensions" in said line the following: "Including addition to Library Building."

The amendment was adopted.

(Speaker in the chair.)

Mr. Wessels offered the following amendment to this section of the bill:

Amend House bill No. 41, page 24, by striking out all on lines 4, 5 and 8.

Mr. Burmeister raised a point of order on consideration of the amendment on the ground that the amendment seeks to strike out an amendment already adopted.

The Speaker sustained the point of order.

Mr. Wallace offered the following amendment to this section of the bill:

Amend House bill No. 41, page 23, line 36, after the word "expense," by inserting the following: "No part of which to be used except on State business."

Signed—Wallace, Quaid.

The amendment was adopted.

Mr. Pope offered the following amendment to this section of the bill:

Amend House bill No. 41 by striking out lines 40 and 13 to 23, page 24, and lines 1 to 15, page 25, and insert the following:

Any personal property belonging to said institution necessary to be sold shall only be sold or disposed of by the superintendent and all proceeds from the sale of any such property, and from labor performed, and all proceeds from the sale of crops shall be paid into the State Treasury and shall become a part of the State general fund, and a complete statement of all such transactions shall be made in the annual report of said institution.

All salaries shall be paid in twelve equal monthly installments except as otherwise herein provided, and all employes may receive board except when otherwise stated.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein and no deficiency shall be created and no warrant shall be issued and no expenditures shall be made, nor shall any obligations



be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of said purposes.

That if any work be not done or the place not filled by the appointment of a person for whom a salary is herein fixed, then such salary shall lapse and be returned to or left in the State Treasury; and provided further, that no person for whom any salary is herein fixed shall be allowed to draw more than the amount of such salary from any other salary or amount herein fixed or from any fees authorized to be charged or from any other source or from any State fund or funds under the control of the governing authority of such particular institution; and provided further, that if any amount herein fixed for any particular purpose be not used for such purpose in whole or in part the unused portion of such fixed amount shall be returned to or left in the State Treasury.

The superintendent of said institution shall keep an accounting of all purchases made for and on behalf of said institution and indicate in his annual report as herein required to be made the cost of all purchases which are higher in price than such superintendent would have been required to pay therefor if permitted to take competitive bids and make said purchases himself.

Mr. Quaid moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—65.

Arnold.	Durham.
Baker of Milam.	Edwards.
Baker of Orange.	Faubion.
Baldwin.	Fugler.
Beasley.	Gipson.
Bell.	Green.
Burmeister.	Hardin of Erath.
Carpenter	Harrington.
of Dallas.	Harris.
Carpenter	Henderson
of Matagorda.	of Marion.
Carson.	Hendricks.
Carter of Hays.	Hull.
Chitwood.	Irwin.
Coffee.	Jacks.
Covey.	Jennings.
Cowen.	Jones.
Dielmann.	Lackey.
Dinkle.	Lane.
Driggers.	LeMaster.
Duffey.	McDonald.
Dunn.	McNatt.

Martin.	Russell of Trinity.
Mathes.	Sackett.
Miller.	Sanford.
Montgomery.	Satterwhite.
Moore.	Shires.
Morgan	Smith.
of Liberty.	Stewart of Reeves.
Morgan	Sweet.
of Robertson.	Thrasher.
Patterson.	Wells.
Pool.	Williamson.
Potter.	Wilmans.
Purl.	Wilson.
Quaid.	

## Nays—49.

Abney.	McBride.
Amsler.	McDaniel.
Atkinson.	McFarlane.
Barker.	Merritt.
Barrett.	Pate.
Bird.	Perdue.
Bonham.	Pope.
Bryant.	Quinn.
Cable.	Rice.
Collins.	Rogers.
Davis.	Rowland.
DeBerry.	Shearer.
Dodd.	Simpson.
Downs.	Sparkman.
Fields.	Stell.
Finlay.	Stevens.
Greer.	Stewart
Hardin	of Edwards.
of Kaufman.	Stewart of Jasper.
Henderson	Storey.
of McLennan.	Stroder.
Houston.	Teer.
Howeth.	Vaughan.
Johnson.	Westbrook.
Laird.	Wessels.
Looney.	Young.

## Absent.

Avis.	Maxwell.
Bobbitt.	Melson.
Crawford.	Patman.
Culp.	Price.
Davenport.	Robinson.
Dunlap.	Russell
Frnka.	of Callahan.
Kemble.	Stiernberg.
Lamb.	Strickland.
LeStourgeon.	Thompson.
Lewis.	Turner.
Loftin.	Wallace.
McKean.	Winfree.

## Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

Mr. Pope offered the following amendment to this section of the bill:

Amend House bill No. 41 by striking

out lines 38 and 39 and all of line 37 after the word "the," page 24, and insert the following: "Comptroller of the State of Texas."

Mr. Quaid moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—67.

Arnold.	Irwin.
Baker of Milam.	Jacks.
Baker of Orange.	Jennings.
Baldwin.	Jones.
Beasley.	Lackey.
Bell.	Lane.
Burmeister.	McDonald.
Carpenter	McNatt.
of Dallas.	Martin.
Carpenter	Mathes.
of Matagorda.	Miller.
Carson.	Moore.
Carter of Hays.	Morgan
Chitwood.	of Liberty.
Coffee.	Morgan
Covey.	of Robertson.
Cowen.	Patterson.
Dielmann.	Pool.
Dinkle.	Potter.
Driggers.	Purl.
Dunlap.	Quaid.
Dunn.	Rice.
Durham.	Russell of Trinity.
Edwards.	Sackett.
Faubion.	Sanford.
Finlay.	Satterwhite.
Fugler.	Shires.
Gipson.	Smith.
Green.	Stewart of Reeves.
Hardin of Erath.	Sweet.
Harrington.	Thrasher.
Harris.	Wallace.
Henderson	Wells.
of Marion.	Williamson.
Hendricks.	Wilmans.
Hull.	Wilson.

## Nays—46.

Abney.	Greer.
Amsler.	Henderson
Barker.	of McLennan.
Barrett.	Houston.
Bird.	Howeth.
Bonham.	Johnson.
Bryant.	Laird.
Cable.	Looney.
Collins.	McBride.
Davis.	McDaniel.
DeBerry.	McFarlane.
Dodd.	Merritt.
Downs.	Pate.
Duffey.	Perdue.
Fields.	Pope.
Frnka.	Quinn.

Rogers.  
Rowland.  
Shearer.  
Simpson.  
Sparkman.  
Stell.  
Stevens.  
Stewart  
of Edwards.

Stewart of Jasper.  
Stroder.  
Thompson.  
Vaughan.  
Westbrook.  
Wessels.  
Young.

## Absent.

Atkinson.	Maxwell.
Avis.	Melson.
Bobbitt.	Montgomery.
Crawford.	Patman.
Culp.	Price.
Davenport.	Robinson.
Hardin	Russell
of Kaufman.	of Callahan.
Kemble.	Stiernberg.
Lamb.	Storey.
LeMaster.	Strickland.
LeSturgeon.	Teer.
Lewis.	Turner.
Loftin.	Winfree.
McKean.	

## Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

Mr. Quaid offered the following amendment to the section of the bill relating to State Colony for Feeble-Minded:

Amend House bill No. 41, page 26, line 11, by striking out the words "For self and family."

The amendment was adopted.

Mr. Simpson offered the following amendment to this section of the bill:

Amend House bill No. 41, page 26, lines 37 and 38, by striking out these two lines.

Mr. Smith moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

## Yeas—53.

Baker of Milam.	Dinkle.
Baker of Orange.	Dunn.
Baldwin.	Durham.
Beasley.	Edwards.
Bell.	Fugler.
Burmeister.	Green.
Carson.	Hardin of Erath.
Carter of Hays.	Harrington.
Chitwood.	Harris.
Coffee.	Henderson
Covey.	of Marion.
Cowen.	Hendricks.

Hull.	Potter.
Jacks.	Quaid.
Jennings.	Quinn.
Jones.	Russell of Trinity.
Lane.	Sackett.
LeMaster.	Sanford.
McDonald.	Satterwhite.
McNatt.	Smith.
Martin.	Stewart of Reeves.
Mathes.	Sweet.
Maxwell.	Thrasher.
Miller.	Wells.
Morgan	Williamson.
of Robertson.	Wilmans.
Patterson.	Wilson.
Pool.	

## Nays—59.

Abney.	Laird.
Amsler.	Looney.
Arnold.	McBride.
Atkinson.	McDaniel.
Barker.	McFarlane.
Barrett.	Merritt.
Bird.	Moore.
Bonham.	Morgan
Bryant.	of Liberty.
Cable.	Pate.
Carpenter	Perdue.
of Matagorda.	Pope.
Collins.	Rice.
Davis.	Rogers.
DeBerry.	Rowland.
Dielmann.	Shearer.
Dodd.	Simpson.
Downs.	Sparkman.
Driggers.	Stell.
Duffey.	Stevens.
Fields.	Stewart
Finlay.	of Edwards.
Frnka.	Stewart of Jasper.
Gipson.	Storey.
Greer.	Stroder.
Henderson	Teer.
of McLennan.	Thompson.
Houston.	Vaughan.
Howeth.	Westbrook.
Irwin.	Wessels.
Johnson.	Young.
Lackey.	

## Absent.

Avis.	McKean.
Bobbitt.	Melson.
Carpenter	Montgomery.
of Dallas.	Patman.
Crawford.	Price.
Culp.	Purl.
Davenport.	Robinson.
Dunlap.	Russell
Faubion.	of Callahan.
Hardin	Shires.
of Kaufman.	Stiernberg.
Kemble.	Strickland.
Lamb.	Turner.
LeStourgeon.	Wallace.
Lewis.	Winfree.
Loftin.	

## Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills:

S. B. No. 65, A bill to be entitled "An Act amending the statutes relative to primary elections, by amending Article 3084 of the Revised Civil Statutes of the State of Texas of 1911, so as to authorize the nomination by parties casting not more than one hundred thousand votes for their nominee for Governor at the next preceding general election, to nominate candidates from Texas for the United States Senate, as is permitted by Articles 3159, 3160, 3161, 3162 and 3163 of the Revised Civil Statutes of the State of Texas of 1911."

S. B. No. 90, A bill to be entitled "An Act making available to the Board of Control any moneys which represent any unexpended balance of any appropriation made for support and maintenance of the American Legion Memorial Sanatorium, so that such moneys may be used to pay any necessary expense incident to the carrying out of the lease of said sanatorium to the Federal government, and transferring patients to the institution, and taking care of other patients unable to be transferred, and declaring an emergency."

S. B. No. 91, A bill to be entitled "An Act creating the Texas Historical Board; defining its powers and duties; fixing the tenure of office of its members, and declaring an emergency."

The Senate rescinded its action in refusing to engross

S. B. No. 49, A bill to be entitled "An Act to amend Article 7407 of Chapter 4, Title 126, of the Revised Civil Statutes of Texas of 1911, relating to the creation of a State Tax Board; fixing the annual salary of the State Tax Commissioner; providing that the provisions hereof with respect to such salary shall be superior to those of any other statute of this State conflicting therewith, and declaring an emergency," by the following vote: 17

yeas and 8 nays; amended it, engrossed the bill, and passed it finally.

Respectfully,

RICHARD BLALOCK,  
Assistant Secretary of the Senate.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has accepted the resignation of Senator Bailey as a member of the Free Conference Committee on House bill No. 10, and Senator Fairchild was appointed to fill the vacancy.

The Senate has passed the following bills:

S. B. No. 79, A bill to be entitled "An Act making an appropriation to be used in the erection of a monument in the city of Houston in memory of Sam Houston, who headed the military forces in Texas' struggle for freedom and who was President of the Republic of Texas; said appropriation to be used, together with other funds, for said purpose from private donations; providing the means, agencies and expenditure of said fund and erection of the monument, and declaring an emergency."

S. B. No. 83, A bill to be entitled "An Act creating the Parks Independent School District in Stephens county, Texas; defining its boundaries; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws upon independent school districts and the boards of trustees thereof; providing that the management and control of the public free schools of said district shall be vested in a board of trustees composed of seven persons, and providing for the election and qualification of said trustees; providing for the appointment of a tax assessor and collector and board of equalization for said district, and declaring an emergency."

S. B. No. 84, A bill to be entitled "An Act to create the Roscoe Independent School District in Nolan county, Texas, including the present Roscoe Independent School District; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred

upon independent school districts incorporated under the general laws of Texas for school purposes only; providing that the board of trustees of the present Roscoe Independent School District shall continue to act as such until their successors are elected in accordance with the provisions of this act and the general laws of Texas, and declaring an emergency."

S. B. No. 94, A bill to be entitled "An Act creating the Gladewater County Line Independent School District in Gregg and Upshur counties, Texas; defining its boundaries; providing for a board of trustees of said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the boards of trustees thereof, including power to extend its boundaries; providing that all bonds heretofore voted in said district shall remain in full force and effect against the territory of said district which voted same; providing for the assumption of said bonds by said district; providing for payment of its proportion of the bonded indebtedness of Union Grove Common School District; providing for appointment of tax assessor and collector and board of equalization, and declaring an emergency."

Respectfully,

RICHARD BLALOCK,  
Assistant Secretary of the Senate.

#### BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

S. B. No. 35, "An Act creating the Anahuac Independent School District."

#### RECESS.

On motion of Mr. Quaid, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Jennings, House bill No. 148 was ordered not printed.

On motion of Mr. Quaid, Senate bill No. 32 was ordered not printed.

On motion of Mr. Abney, Senate bill No. 94 was ordered not printed.

On motion of Mr. Sackett, House bill No. 160 was ordered not printed.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 14, A bill to be entitled "An Act authorizing the board of directors to purchase additional lands adjacent to the Agricultural and Mechanical College of Texas, the title to said lands to be taken in the name of the board of directors and their successors, and said lands to be subject to the control of said board of directors; said lands comprising approximately three hundred and eighty-three (383) acres in several tracts whose ownership or description is herein indicated; providing for the purchase from the different owners and authorizing condemnation proceedings in case the price of the several tracts cannot be agreed upon between the respective owners and said board of directors; providing the manner of drawing vouchers and approving the title of said lands by State officials, making an appropriation for the purchase of said lands out of the general revenues, and declaring an emergency."

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

#### HOUSE BILL NO. 41 ON ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 41, making certain appropriations for eleemosynary institutions, on its passage to engrossment, with amendment by Mr. Simpson, pending.

Mr. Young moved the previous question on the amendment and the main question was ordered.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—62.

Mr. Speaker. Abney.

Amsler.  
Atkinson.  
Barker.  
Barrett.  
Bird.  
Bonham.  
Bryant.  
Cable.  
Carpenter  
of Dallas.  
Carpenter  
of Matagorda.  
Crawford.  
Culp.  
Davenport.  
Davis.  
DeBerry.  
Dodd.  
Downs.  
Driggers.  
Duffey.  
Durham.  
Fields.  
Finlay.  
Frnka.  
Green.  
Hardin  
of Kaufman.  
Henderson  
of McLennan.  
Houston.  
Howeth.  
Irwin.  
Lackey.

Laird.  
Lane.  
LeMaster.  
Loftin.  
Looney.  
McBride.  
McDaniel.  
McFarlane.  
McKean.  
Martin.  
Melson.  
Merritt.  
Patterson.  
Perdue.  
Pope.  
Rogers.  
Rowland.  
Russell  
of Callahan.  
Shearer.  
Simpson.  
Sparkman.  
Stell.  
Stevens.  
Stewart  
of Edwards.  
Stewart of Jasper.  
Storey.  
Teer.  
Thompson.  
Westbrook.  
Wessels.  
Young.

#### Nays—48.

Arnold.  
Baker of Milam.  
Baker of Orange.  
Beasley.  
Bell.  
Burmeister.  
Carson.  
Carter of Hays.  
Chitwood.  
Coffee.  
Covey.  
Cowen.  
Dielmann.  
Dunlap.  
Dunn.  
Edwards.  
Fugler.  
Hardin of Erath.  
Harrington.  
Harris.  
Jacks.  
Jennings.  
Kemble.  
McDonald.  
McNatt.

Morgan  
of Robertson.  
Patman.  
Pool.  
Potter.  
Price.  
Purl.  
Quaid.  
Quinn.  
Rice.  
Russell of Trinity.  
Sackett.  
Sanford.  
Satterwhite.  
Smith.  
Stewart of Reeves.  
Stiernberg.  
Stroder.  
Sweet.  
Thrasher.  
Wallace.  
Wells.  
Williamson.  
Wilson.  
Winfree.

#### Present—Not Voting.

Gipson.

Turner.

#### Absent.

Avis.

Baldwin.

Bobbitt.	Mathes.
Collins.	Maxwell.
Dinkle.	Miller.
Faubion.	Montgomery.
Greer.	Moore.
Henderson	Morgan
of Marion.	of Liberty.
Hendricks.	Pate.
Hull.	Robinson.
Johnson.	Shires.
Jones.	Strickland.
Lamb.	Vaughan.
LeStourgeon.	Wilmans.
Lewis.	

Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

Mr. Wessels offered the following amendment to this section of the bill:

Amend House bill No. 41, on page 26, by striking out all on lines 34 and 35.

On motion of Mr. Irwin, the amendment was adopted.

Mr. Pope offered the following amendment to this section of the bill:

Amend House bill No. 41 by striking out lines 7 to 17 and lines 34 to 40, page 27, and lines 1 to 9 and lines 27 to 37, page 28, and insert the following:

Any property belonging to said institution necessary to be sold shall only be sold or disposed of by the superintendent, and all proceeds from the sale of any such property, and from labor performed, and all proceeds from the sale of crops shall be paid into the State Treasury and shall become a part of the State general fund, and a complete statement of all such transactions shall be made in the annual report of said institution.

All salaries shall be paid in twelve equal monthly installments except as otherwise herein provided, and all employes may receive board except when otherwise stated.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no deficiency shall be created and no warrant shall be issued and no expenditures shall be made, nor shall any obligations be incurred which, added to the actual expenditures, will exceed the amounts herein appropriated for either of said purposes.

That if any work be not done or the place not filled by the appointment of a person for whom a salary is herein fixed, then such salary shall lapse and

be returned to or left in the State Treasury; and provided further, that no person for whom any salary is herein fixed shall be allowed to draw more than the amount of such salary from any other salary or amount herein fixed or from any fees authorized to be charged or from any other source or from any State fund or funds under the control of the governing authority of such particular institution; and provided further, that if any amount herein fixed for any particular purpose be not used for such purpose in whole or in part the unused portion of such fixed amount shall be returned to or left in the State Treasury.

The superintendent of said institution shall keep an accounting of all purchases made for and on behalf of said institution and indicate in his annual report as herein required to be made, the cost of all purchases which are higher in price than such superintendent would have been required to pay therefor if permitted to take competitive bids and make said purchases himself.

Mr. Quaid moved to table the amendment.

Yeas and nays were demanded and the motion to table was lost by the following vote:

Yeas—56.

Arnold.	Irwin.
Baker of Milam.	Jennings.
Baker of Orange.	Kemble.
Beasley.	Lane.
Bell.	McDonald.
Burmeister.	McKean.
Carpenter	McNatt.
of Matagorda.	Martin.
Carson.	Mathes.
Carter of Hays.	Moore.
Chitwood.	Morgan
Coffee.	of Robertson.
Covey.	Pool.
Cowen.	Potter.
Dielmann.	Purl.
Duffey.	Quaid.
Dunlap.	Russell of Trinity.
Dunn.	Sackett.
Durham.	Sanford.
Edwards.	Satterwhite.
Faubion.	Smith.
Fugler.	Stewart of Reeves.
Gipson.	Stiernberg.
Green.	Sweet.
Hardin of Erath.	Thrasher.
Harrington.	Wells.
Harris.	Williamson.
Henderson	Wilmans.
of Marion.	Wilson.
Hendricks.	

## Nays—60.

Abney.	Loftin.
Amsler.	Looney.
Atkinson.	McBride.
Barker.	McDaniel.
Barrett.	McFarlane.
Bird.	Melson.
Bonham.	Merritt.
Bryant.	Morgan
Cable.	of Liberty.
Carpenter	Pate.
of Dallas.	Perdue.
Crawford.	Pope.
Culp.	Quinn.
Davenport.	Rice.
Davis.	Rogers.
DeBerry.	Rowland.
Dodd.	Russell
Downs.	of Callahan.
Driggers.	Shearer.
Finlay.	Simpson.
Frnka.	Sparkman.
Greer.	Stell.
Hardin	Stevens.
of Kaufman.	Stewart
Henderson	of Edwards.
of McLennan.	Stewart of Jasper.
Houston.	Storey.
Howeth.	Stroder.
Jacks.	Teer.
Johnson.	Thompson.
Lackey.	Westbrook.
Laird.	Wessels.
LeMaster.	Young.
Lewis.	

## Absent.

Avis.	Montgomery.
Baldwin.	Patman.
Bobbitt.	Patterson.
Collins.	Price.
Dinkle.	Robinson.
Fields.	Shires.
Hull.	Strickland.
Jones.	Turner.
Lamb.	Vaughan.
LeSturgeon.	Wallace.
Maxwell.	Winfree.
Miller.	

## Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

Question then recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—58.

Abney.	Barrett.
Atkinson.	Bird.
Barker.	Bonham.

Bryant.	Melson.
Cable.	Merritt.
Carpenter	Pate.
of Dallas.	Patman.
Carpenter	Perdue.
of Matagorda.	Pope.
Davenport.	Price.
Davis.	Quinn.
DeBerry.	Rice.
Dodd.	Rogers.
Downs.	Rowland.
Finlay.	Russell
Frnka.	of Callahan.
Greer.	Sackett.
Hardin	Shearer.
of Kaufman.	Simpson.
Henderson	Sparkman.
of McLennan.	Stell.
Houston.	Stevens.
Howeth.	Stewart
Jacks.	of Edwards.
Johnson.	Stewart of Jasper.
Laird.	Storey.
LeMaster.	Stroder.
Lewis.	Teer.
Loftin.	Thompson.
Looney.	Westbrook.
McBride.	Wessels.
McDaniel.	Young.
McFarlane.	

## Nays—55.

Amsler.	Hendricks.
Arnold.	Irwin.
Baker of Milam.	Jennings.
Baker of Orange.	Kemble.
Beasley.	Lane.
Bell.	McDonald.
Burmeister.	McNatt.
Carson.	Martin.
Carter of Hays.	Mathes.
Chitwood.	Moore.
Coffee.	Morgan
Covey.	of Liberty.
Cowen.	Morgan
Dielmann.	of Robertson.
Driggers.	Potter.
Duffey.	Purl.
Dunlap.	Quaid.
Dunn.	Russell of Trinity.
Durham.	Sanford.
Edwards.	Satterwhite.
Faubion.	Smith.
Fugler.	Stewart of Reeves.
Gipson.	Stiernberg.
Green.	Sweet.
Hardin of Erath.	Thrasher.
Harrington.	Wells.
Harris.	Williamson.
Henderson	Wilmans.
of Marion.	Wilson.

## Absent.

Avis.	Collins.
Baldwin.	Crawford.
Bobbitt.	Culp.

Dinkle.	Montgomery.
Fields.	Patterson.
Hull.	Pool.
Jones.	Robinson.
Lackey.	Shires.
Lamb.	Strickland.
LeSturgeon.	Turner.
McKean.	Vaughan.
Maxwell.	Wallace.
Miller.	Winfree.

Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

Mr. Wallace offered the following amendment to this section of the bill: Amend House bill No. 41, page 26, line 30, after the word "association" by inserting the following: "no part of which to be used except on State business."

The amendment was adopted.

Mr. Stell offered the following amendment to this section of the bill:

Amend House bill No. 41, page 25, line 40, by striking out the figures "1,440.00" and inserting "1,200.00."

On motion of Mr. Smith, the amendment was tabled.

Mr. Stell offered the following amendment to this section of the bill:

Amend House bill No. 41, page 25, line 39, by striking out "1200.00" wherever it occurs and inserting "1440.00" in lieu thereof.

Mr. Quaid moved to table the amendment.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—65.

Abney.	Faubion.
Arnold.	Fugler.
Atkinson.	Green.
Baker of Milam.	Hardin of Erath.
Baker of Orange.	Hardin
Barrett.	of Kaufman.
Beasley.	Harrington.
Bell.	Harris.
Bonham.	Henderson
Burmeister.	of Marion.
Carpenter	Hendricks.
of Matagorda.	Irwin.
Chitwood.	Jacks.
Coffee.	Jennings.
Cowen.	Kemble.
Dielmann.	Lackey.
Downs.	LeMaster.
Dunn.	Lewis.
Durham.	McBride.
Edwards.	McDonald.

McKean.	Sackett.
McNatt.	Sanford.
Mathes.	Satterwhite.
Melson.	Shearer.
Morgan	Simpson.
of Robertson.	Smith.
Pate.	Stewart of Jasper.
Patterson.	Stewart of Reeves.
Potter.	Stiernberg.
Price.	Sweet.
Purl.	Thrasher.
Quaid.	Westbrook.
Quinn.	Winfree.
Rice.	Young.
Russell of Trinity.	

Nays—44.

Amsler.	Loftin.
Barker.	Looney.
Bird.	McDaniel.
Cable.	McFarlane.
Carpenter	Merritt.
of Dallas.	Moore.
Carson.	Patman.
Carter of Hays.	Perdue.
Culp.	Pope.
Davenport.	Rogers.
Davis.	Rowland.
DeBerry.	Sparkman.
Dodd.	Stell.
Driggers.	Stewart
Duffey.	of Edwards.
Finlay.	Stroder.
Greer.	Teer.
Henderson	Thompson.
of McLennan.	Wallace.
Houston.	Wells.
Howeth.	Wessels.
Johnson.	Williamson.
Laird.	Wilson.
Lane.	

Absent.

Avis.	Maxwell.
Baldwin.	Miller.
Bobbitt.	Montgomery.
Bryant.	Morgan
Collins.	of Liberty.
Covey.	Pool.
Crawford.	Robinson.
Dinkle.	Russell
Dunlap.	of Callahan.
Fields.	Shires.
Frnka.	Stevens.
Gipson.	Storey.
Hull.	Strickland.
Jones.	Turner.
Lamb.	Vaughan.
LeSturgeon.	Wilmans.
Martin.	

Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

Mr. Rogers offered the following amendment to this section of the bill:



Amend House bill No. 41, page 27, line 31, by inserting after the word "same" the words "under oath."

Mr. Gipson moved to table the amendment, and the motion to table was lost.

Question then recurring on the amendment, it was adopted.

Mr. Simpson offered the following amendment to the section of the bill relating to the State Epileptic Colony:

Amend House bill No. 41, page 30, by striking out line 39.

(Mr. Price in the chair.)

The amendment was lost.

Mr. Green offered the following amendment to this section of the bill:

Amend House bill No. 41, page 30, by inserting between lines 39 and 40 the following: "For additions to hospitals, including repairs, elevators and equipment, \$25,000 each year."

The amendment was adopted.

Mr. Wessels offered the following amendment to this section of the bill:

Amend House bill No. 41, on page 30, by striking out line 35.

On motion of Mr. Quaid, the amendment was tabled.

Mr. Wallace offered the following amendment to this section of the bill:

Amend House bill No. 41, page 30, line 31, after the word "associations" by inserting the following: "no part of which to be used except on State business."

Signed—Wallace, Quaid.

The amendment was adopted.

Mr. Pope offered the following amendment to this section of the bill:

Amend House bill No. 41 by striking out lines 7 to 34, page 31, and insert the following:

Any personal property belonging to said institution necessary to be sold shall only be sold or disposed of by the superintendent and all proceeds from the sale of any such property, and from labor performed, and all proceeds from the sale of crops shall be paid into the State Treasury and shall become a part of the State general fund, and a complete statement of all such transactions shall be made in the annual report of said institution.

All salaries shall be paid in twelve equal monthly installments except as otherwise herein provided, and all employes may receive board except when otherwise stated.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the

several purposes named herein, and no deficiency shall be created and no warrant shall be issued and no expenditures shall be made, nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of said purposes.

That if any work be not done or the place not filled by the appointment of a person for whom a salary is herein fixed, then such salary shall lapse and be returned to or left in the State Treasury; and provided further, that no person for whom any salary is herein fixed shall be allowed to draw more than the amount of such salary from any other salary or amount herein fixed or from any fees authorized to be charged or from any other source or from any State fund or funds under the control of the governing authority of such particular institution; and provided further, that if any amount herein fixed for any particular purpose be not used for such purpose in whole or in part the unused portion of such fixed amount shall be returned to or left in the State Treasury.

The superintendent of said institution shall keep an accounting of all purchases made for and on behalf of said institution and indicate in his annual report as herein required to be made the cost of all purchases which are higher in price than such superintendent would have been required to pay therefor if permitted to take competitive bids and make said purchases himself.

Mr. Quaid moved to table the amendment.

Yeas and nays were demanded and the motion to table was lost by the following vote:

Yeas—51.

Baker of Milam.	Hardin of Erath.
Baker of Orange.	Harrington.
Beasley.	Harris.
Bell.	Henderson
Burmeister.	of Marion.
Carson.	Hendricks.
Chitwood.	Irwin.
Coffee.	Jennings.
Collins.	Jones.
Covey.	Kemble.
Crawford.	Lackey.
Dielmann.	Lane.
Dunlap.	McDonald.
Dunn.	McNatt.
Durham.	Mathes.
Edwards.	Montgomery.
Faubion.	Morgan
Fugler.	of Robertson.
Gipson.	Patterson.

Potter.	Stewart of Reeves.
Purl.	Stiernberg.
Quaid.	Sweet.
Russell of Trinity.	Thrasher.
Sackett.	Wells.
Sanford.	Williamson.
Satterwhite.	Wilmans.
Smith.	Wilson.

## Nays—53.

Abney.	Looney.
Amsler.	McBride.
Atkinson.	McDaniel.
Barrett.	McFarlane.
Bird.	Melson.
Bonham.	Merritt.
Carpenter	Pate.
of Dallas.	Perdue.
Carpenter	Pope.
of Matagorda.	Quinn.
Culp.	Rice.
Davis.	Rogers.
DeBerry.	Rowland.
Dodd.	Shearer.
Downs.	Simpson.
Driggers.	Sparkman.
Duffey.	Stell.
Finlay.	Stevens.
Green.	Stewart
Greer.	of Edwards.
Henderson	Stewart of Jasper.
of McLennan.	Storey.
Houston.	Stroder.
Howeth.	Turner.
Jacks.	Westbrook.
Laird.	Wessels.
LeMaster.	Young.
Loftin.	

## Absent.

Arnold.	McKean.
Avis.	Martin.
Baldwin.	Maxwell.
Barker.	Miller.
Bobbitt.	Moore.
Bryant.	Morgan
Cable.	of Liberty.
Carter of Hays.	Patman.
Cowen.	Pool.
Davenport.	Price.
Dinkle.	Robinson.
Fields.	Russell
Frnka.	of Callahan.
Hardin	Shires.
of Kaufman.	Strickland.
Hull.	Teer.
Johnson.	Thompson.
Lamb.	Vaughan.
LeStourgeon.	Wallace.
Lewis.	Winfree.

## Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

Question then recurring on the amendment, yeas and nays were demanded.  
The amendment was adopted by the following vote:

## Yeas—55.

Abney.	Loftin.
Amsler.	Looney.
Arnold.	McBride.
Atkinson.	McDaniel.
Barker.	McFarlane.
Barrett.	Melson.
Bird.	Merritt.
Bonham.	Pate.
Carpenter	Perdue.
of Dallas.	Pope.
Crawford.	Quinn.
Culp.	Rice.
Davis.	Rogers.
DeBerry.	Rowland.
Dodd.	Shearer.
Downs.	Simpson.
Duffey.	Sparkman.
Finlay.	Stell.
Frnka.	Stevens.
Greer.	Stewart
Henderson	of Edwards.
of McLennan.	Stewart of Jasper.
Houston.	Storey.
Howeth.	Stroder.
Jacks.	Thompson.
Johnson.	Turner.
Laird.	Westbrook.
Lane.	Wessels.
LeMaster.	Young.

## Nays—53.

Baker of Milam.	Jones.
Baker of Orange.	Kemble.
Baldwin.	Lackey.
Beasley.	McDonald.
Bell.	McNatt.
Burmeister.	Martin.
Cable.	Mathes.
Carpenter	Maxwell.
of Matagorda.	Montgomery.
Carson.	Moore.
Chitwood.	Morgan
Coffee.	of Robertson.
Covey.	Patterson.
Dielmann.	Potter.
Driggers.	Quaid.
Dunlap.	Russell of Trinity.
Dunn.	Sackett.
Edwards.	Sanford.
Fugler.	Satterwhite.
Gipson.	Smith.
Hardin of Erath.	Stewart of Reeves.
Harrington.	Stiernberg.
Harris.	Sweet.
Henderson	Thrasher.
of Marion.	Wells.
Hendricks.	Williamson.
Irwin.	Wilmans.
Jennings.	Wilson.

## Absent.

Avis.	McKean.
Bobbitt.	Miller.
Bryant.	Morgan
Carter of Hays.	of Liberty.
Collins.	Patman.
Cowen.	Pool.
Davenport.	Price.
Dinkle.	Purl.
Durham.	Robinson.
Faubion.	Russell
Fields.	of Callahan.
Green.	Shires.
Hardin	Strickland.
of Kaufman.	Teer.
Hull.	Vaughan.
Lamb.	Wallace.
LeSturgeon.	Winfree.
Lewis.	

## Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

Mr. Westbrook offered the following amendment to the section of the bill relating to the State Lunatic Asylum:

Amend House bill No. 41, page 34, line 22, by striking out "\$500" in each column and insert "\$300" in each column.

Mr. Jacks moved to table the amendment, and the motion to table was lost.

Question then recurring on the amendment, it was adopted.

Mr. Baker of Milam moved a call of the House for the purpose of maintaining a quorum until 5 o'clock p. m. today, and the motion was lost.

Mr. Simpson offered the following amendment to this section of the bill:

Amend House bill No. 41, page 34, line 37, by reducing the "\$100,000.00" in each column to "\$50,000.00" in each item.

Mr. Quaid moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—80.

Abney.	Carson.
Amsler.	Carter of Hays.
Arnold.	Chitwood.
Baker of Milam.	Coffee.
Baker of Orange.	Covey.
Beasley.	Cowen.
Bell.	Crawford.
Burmeister.	Culp.
Cable.	Dielmann.
Carpenter	Dodd.
of Matagorda.	Downs.

Dunlap.	Merritt.
Dunn.	Montgomery.
Durham.	Moore.
Edwards.	Morgan
Faubion.	of Robertson.
Finlay.	Patman.
Frnka.	Patterson.
Gipson.	Pool.
Greer.	Potter.
Hardin of Erath.	Purl.
Hardin	Quaid.
of Kaufman.	Russell of Trinity.
Harrington.	Sackett.
Harris.	Sanford.
Henderson	Satterwhite.
of Marion.	Shearer.
Hendricks.	Sparkman.
Hull.	Stewart of Jasper.
Jacks.	Stewart of Reeves.
Jennings.	Stiernberg.
Jones.	Storey.
Lackey.	Sweet.
Lamb.	Teer.
LeMaster.	Thrasher.
Lewis.	Wallace.
McDaniel.	Wells.
McDonald.	Williamson.
McNatt.	Wilmans.
Martin.	Wilson.
Mathes.	Winfree.
Maxwell.	Young.
Melson.	

## Nays—30.

Atkinson.	McBride.
Barker.	McFarlane.
Bonham.	Perdue.
Carpenter	Pope.
of Dallas.	Rice.
Collins.	Rogers.
Davis.	Rowland.
DeBerry.	Simpson.
Driggers.	Stell.
Duffey.	Stevens.
Fields.	Stewart
Henderson	of Edwards.
of McLennan.	Stroder.
Houston.	Thompson.
Johnson.	Westbrook.
Laird.	Wessels.
Looney.	

## Absent.

Avis.	LeSturgeon.
Baldwin.	Loftin.
Barrett.	McKean.
Bird.	Miller.
Bobbitt.	Morgan
Bryant.	of Liberty.
Davenport.	Pate.
Dinkle.	Price.
Fugler.	Quinn.
Green.	Robinson.
Howeth.	Russell
Irwin.	of Callahan.
Kemble.	Shires.
Lane.	Smith.

Strickland. Vaughan.  
Turner.

Absent—Excused.

Blount. Lusk.  
Carter of Coke. Merriman.  
Hughes. Pinkston.

Mr. Wessels offered the following amendment to this section of the bill:

Amend House bill No. 41, on page 34, by striking out all on lines 32 and 33.

On motion of Mr. Greer, the amendment was tabled.

Mr. Pope offered the following amendment to this section of the bill:

Amend House bill No. 41 by striking out lines 6 to 16 and 33 to 40, on page 35, and lines 1 to 8, page 36, and insert the following:

Any personal property belonging to said institution necessary to be sold shall only be sold or disposed of by the superintendent and all proceeds from the sale of any such property, and from labor performed, and all proceeds from the sale of crops shall be paid into the State Treasury and shall become a part of the State general fund, and a complete statement of all such transactions shall be made in the annual report of said institution.

All salaries shall be paid in twelve equal monthly installments except as otherwise herein provided, and all employes may receive board except when otherwise stated.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no deficiency shall be created and no warrant shall be issued and no expenditures shall be made, nor shall any obligations be incurred which, added to the actual expenditures, will exceed the amounts herein appropriated for either of said purposes.

That if any work be not done or the place not filled by the appointment of a person for whom a salary is herein fixed, then such salary shall lapse and be returned to or left in the State Treasury; and provided further, that no person for whom any salary is herein fixed shall be allowed to draw more than the amount of such salary from any other salary or amount herein fixed or from any fees authorized to be charged or from any other source or from any State fund or funds under the control of the governing authority of such particular institution; and provided further, that

if any amount herein fixed for any particular purpose be not used for such purpose in whole or in part the unused portion of such fixed amount shall be returned to or left in the State Treasury.

The superintendent of said institution shall keep an accounting of all purchases made for and on behalf of said institution and indicate in his annual report as herein required to be made the cost of all purchases which are higher in price than such superintendent would have been required to pay therefor if permitted to take competitive bids and make said purchases himself.

Mr. Henderson of Marion moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—58.

Arnold.	Jones.
Baker of Milam.	Lackey.
Baker of Orange.	Lane.
Baldwin.	McDonald.
Beasley.	McKean.
Bell.	McNatt.
Burmeister.	Martin.
Carter of Hays.	Mathes.
Chitwood.	Maxwell.
Coffee.	Montgomery.
Covey.	Moore.
Cowen.	Morgan
Dielmann.	of Liberty.
Driggers.	Patterson.
Dunlap.	Pool.
Dunn.	Potter.
Durham.	Purl.
Edwards.	Quaid.
Faubion.	Russell of Trinity.
Gipson.	Sackett.
Green.	Sanford.
Hardin of Erath.	Satterwhite.
Hardin	Smith.
of Kaufman.	Stewart of Reeves.
Harrington.	Sweet.
Harris.	Thrasher.
Henderson	Wells.
of Marion.	Williamson.
Hull.	Wilmans.
Irwin.	Wilson.
Jennings.	Winfree.

Nays—44.

Abney.	Culp.
Amsler.	DeBerry.
Barker.	Downs.
Bonham.	Duffey.
Bryant.	Fields.
Cable.	Finlay.
Carpenter	Greer.
of Dallas.	

Henderson of McLennan.	Russell of Callahan.
Houston.	Shearer.
Howeth.	Simpson.
Laird.	Sparkman.
Lewis.	Stell.
Loftin.	Stevens.
Looney.	Stewart
McBride.	of Edwards.
McDaniel.	Storey.
Melson.	Stroder.
Merritt.	Teer.
Patman.	Thompson.
Perdue.	Westbrook.
Pope.	Wessels.
Rice.	Young.
Rowland.	

Absent.

Atkinson.	Lamb.
Avis.	LeMaster.
Barrett.	LeSturgeon.
Bobbitt.	McFarlane.
Carpenter	Miller.
of Matagorda.	Pate.
Carson.	Price.
Collins.	Quinn.
Crawford.	Robinson.
Davenport.	Rogers.
Davis.	Shires.
Dinkle.	Stewart of Jasper.
Frnka.	Stiernberg.
Fugler.	Strickland.
Hendricks.	Turner.
Jacks.	Vaughan.
Johnson.	Wallace.
Kemble.	

Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

Paired.

Mr. Dodd (present), who would vote "nay," with Mr. Morgan of Robertson (absent), who would vote "yea."

(Speaker in the chair.)

Mr. Pope offered the following amendment to the section of the bill relating to the Southwestern Insane Asylum:

Amend House bill No. 41 by striking out lines 18 to 28, page 40, and lines 5 to 20, page 41, and insert the following:

Any personal property belonging to said institution necessary to be sold shall only be sold or disposed of by the superintendent and all proceeds from the sale of any such property, and from labor performed, and all proceeds from the sale of crops shall be paid into the State Treasury and shall become a part of the State general fund, and a complete statement of all such transactions

shall be made in the annual report of said institution.

All salaries shall be paid in twelve equal monthly installments except as otherwise herein provided, and all employes may receive board except when otherwise stated.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no deficiency shall be created and no warrant shall be issued and no expenditures shall be made, nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of said purposes.

That if any work be not done or the place not filled by the appointment of a person for whom a salary is herein fixed, then such salary shall lapse and be returned to or left in the State Treasury; and provided further that no person for whom any salary is herein fixed shall be allowed to draw more than the amount of such salary from any other salary or amount herein fixed or from any fees authorized to be charged or from any other source or from any State fund or funds under the control of the governing authority of such particular institution; and provided further that if any amount herein fixed for any particular purpose be not used for such purpose in whole or in part the unused portion of such fixed amount shall be returned to or left in the State Treasury.

The superintendent of said institution shall keep an accounting of all purchases made for and on behalf of said institution and indicate in his annual report as herein required to be made the cost of all purchases which are higher in price than such superintendent would have been required to pay therefor if permitted to take competitive bids and make said purchases himself.

Mr. Dielmann moved to table the amendment.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—57.

Baker of Milam.	Carter of Hays.
Baker of Orange.	Chitwood.
Beasley.	Coffee.
Burmeister.	Covey.
Carpenter	Cowen.
of Matagorda.	Dielmann.
Carson.	Dunlap.

Dunn.	Morgan
Durham.	of Liberty.
Edwards.	Patterson.
Gipson.	Pool.
Green.	Price.
Hardin of Erath.	Purl.
Harrington.	Quaid.
Harris.	Russell of Trinity.
Henderson	Sackett.
of Marion.	Sanford.
Hull.	Satterwhite.
Irwin.	Shires.
Jennings.	Stewart of Reeves.
Jones.	Stiernberg.
Lackey.	Sweet.
Lane.	Teer.
McDonald.	Thrasher.
McKean.	Wallace.
McNatt.	Wells.
Martin.	Williamson.
Mathes.	Wilmons.
Maxwell.	Wilson.
Montgomery.	Winfree.
Moore.	

Nays—47.

Abney.	Looney.
Amsler.	McBride.
Arnold.	McDaniel.
Barker.	Merritt.
Bird.	Patman.
Bonham.	Perdue.
Cable.	Pope.
Carpenter	Quinn.
of Dallas.	Rice.
Collins.	Rogers.
Culp.	Rowland.
Davis.	Shearer.
DeBerry.	Simpson.
Downs.	Sparkman.
Driggers.	Stell.
Duffey.	Stevens.
Fields.	Stewart
Finlay.	of Edwards.
Greer.	Stewart of Jasper.
Henderson	Storey.
of McLennan.	Stroder.
Houston.	Thompson.
Johnson.	Turner.
Laird.	Wessels.
Lewis.	Young.
Loftin.	

Absent.

Atkinson.	Hardin
Avis.	of Kaufman.
Baldwin.	Hendricks.
Barrett.	Howeth.
Bell.	Jacks.
Bobbitt.	Kemble.
Bryant.	Lamb.
Crawford.	LeMaster.
Davenport.	LeSturgeon.
Dinkle.	McFarlane.
Faubion.	Melson.
Frnka.	Miller.
Fugler.	Pate.

Potter.	Smith.
Robinson.	Strickland.
Russell	Vaughan.
of Callahan.	Westbrook.

Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

Paired.

Mr. Dodd (present), who would vote "nay," with Mr. Morgan of Robertson (absent), who would vote "yea."

Mr. Pope offered the following amendment to this section of the bill:

Amend House bill No. 41 by adding the following between lines 17 and 18, page 40: "Provided, that the inmates of this institution shall not be farmed out or otherwise contracted to do farm work or land grubbing for any private person, regardless if approved by the Board of Control."

Mr. Quaid moved the previous question on the amendment, and the main question was ordered.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—105.

Abney.	Dunlap.
Amsler.	Dunn.
Arnold.	Durham.
Baker of Milam.	Faubion.
Baker of Orange.	Fields.
Baldwin.	Finlay.
Barker.	Gipson.
Beasley.	Green.
Bell.	Greer.
Bird.	Hardin of Erath.
Bonham.	Hardin
Cable.	of Kaufman.
Carpenter	Harrington.
of Dallas.	Henderson
Carpenter	of Marion.
of Matagorda.	Henderson
Carson.	of McLennan.
Chitwood.	Houston.
Collins.	Howeth.
Covey.	Hull.
Crawford.	Irwin.
Culp.	Jennings.
Davis.	Johnson.
DeBerry.	Jones.
Dielmann.	Lackey.
Dinkle.	Laird.
Dodd.	Lane.
Downs.	Lewis.
Driggers.	Loftin.
Duffey.	Looney.

McBride.	Sackett.
McDaniel.	Sanford.
McDonald.	Satterwhite.
McFarlane.	Shearer.
McNatt.	Simpson.
Martin.	Sparkman.
Mathes.	Stell.
Maxwell.	Stevens.
Merritt.	Stewart
Montgomery.	of Edwards.
Moore.	Stewart of Jasper.
Patman.	Stiernberg.
Patterson.	Storey.
Perdue.	Stroder.
Pool.	Teer.
Pope.	Thompson.
Potter.	Thrasher.
Purl.	Turner.
Quaid.	Wallace.
Quinn.	Wells.
Rice.	Westbrook.
Rogers.	Wessels.
Rowland.	Williamson.
Russell	Wilson.
of Callahan.	Winfree.
Russell of Trinity.	Young.

Nays—2.

Carter of Hays. Smith.

Absent.

Atkinson.	LeStourgeon.
Avis.	McKean.
Barrett.	Melson.
Bobbitt.	Miller.
Bryant.	Morgan
Burmeister.	of Liberty.
Coffee.	Morgan
Cowen.	of Robertson.
Davenport.	Pate.
Edwards.	Price.
Frnka.	Robinson.
Fugler.	Shires.
Harris.	Stewart of Reeves.
Hendricks.	Strickland.
Jacks.	Sweet.
Kemble.	Vaughan.
Lamb.	Wilmans.
LeMaster.	

Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

Mr. Wessels offered the following amendment to this section of the bill:

Amend House bill No. 41, on page 40, by striking out all on lines 9 and 10 to 13.

On motion of Mr. Dielmann, the amendment was tabled.

Mr. Henderson of McLennan offered the following amendment to the section

of the bill relating to North Texas Insane Asylum:

Amend House bill No. 41 by striking out lines 8 to 16 and lines 33 to 40, page 44, and lines 1 to 8, page 45, and insert the following:

Any personal property belonging to said institution necessary to be sold shall only be sold or disposed of by the superintendent and all proceeds from the sale of any such property, and from labor performed, and all proceeds from the sale of crops shall be paid into the State Treasury and shall become a part of the State general fund, and a complete statement of all such transactions shall be made in the annual report of said institution.

All salaries shall be paid in twelve equal monthly installments except as otherwise herein provided, and all employes may receive board except when otherwise stated.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no deficiency shall be created and no warrant shall be issued and no expenditures shall be made, nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of said purposes.

That if any work be not done or the place not filled by the appointment of a person for whom a salary is herein fixed, then such salary shall lapse and be returned to or left in the State Treasury; and provided further, that no person for whom any salary is herein fixed shall be allowed to draw more than the amount of such salary from any other salary or amount herein fixed or from any fees authorized to be charged or from any other source or from any State fund or funds under the control of the governing authority of such particular institution; and provided further, that if any amount herein fixed for any particular purpose be not used for such purpose in whole or in part the unused portion of such fixed amount shall be returned to or left in the State Treasury.

The superintendent of said institution shall keep an accounting of all purchases made for and on behalf of said institution and indicate in his annual report as herein required to be made the cost of all purchases which are higher in price than such superintendent would have been required to pay therefor if

permitted to take competitive bids and make said purchases himself.

Mr. Henderson of Marion moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—58.

Baker of Milam.	Lane.
Baker of Orange.	McDonald.
Baldwin.	McNatt.
Beasley.	Martin.
Bell.	Mathes.
Bird.	Montgomery.
Burmeister.	Moore.
Carson.	Patterson.
Carter of Hays.	Pool.
Chitwood.	Potter.
Cowen.	Purl.
Dielmann.	Quaid.
Dinkle.	Russell of Trinity.
Driggers.	Sackett.
Dunlap.	Sanford.
Dunn.	Satterwhite.
Durham.	Shires.
Edwards.	Smith.
Faubion.	Sparkman.
Gipson.	Stewart of Reeves.
Green.	Stiernberg.
Hardin of Erath.	Sweet.
Harrington.	Thrasher.
Harris.	Wallace.
Henderson	Wells.
of Marion.	Williamson.
Irwin.	Wilmons.
Jennings.	Wilson.
Jones.	Winfree.
Lackey.	

## Nays—51.

Abney.	Johnson.
Amsler.	Laird.
Barker.	Lewis.
Bonham.	Loftin.
Cable.	Looney.
Carpenter	McBride.
of Dallas.	McDaniel.
Carpenter	McFarlane.
of Matagorda.	Melson.
Collins.	Merritt.
Crawford.	Patman.
Culp.	Perdue.
Davis.	Pope.
DeBerry.	Quinn.
Downs.	Rice.
Duffey.	Rogers.
Fields.	Rowland.
Finlay.	Shearer.
Greer.	Simpson.
Hardin	Stell.
of Kaufman.	Stevens.
Henderson	Stewart
of McLennan.	of Edwards.
Houston.	Stewart of Jasper.
Howeth.	Storey.

Stroder.  
Teer.  
Thompson.

Westbrook.  
Wessels.  
Young.

Absent.

Arnold.  
Atkinson.  
Avis.  
Barrett.  
Bobbitt.  
Bryant.  
Coffee.  
Covey.  
Davenport.  
Frnka.  
Fugler.  
Hendricks.  
Hull.  
Jacks.  
Kemble.  
Lamb.

LeMaster.  
LeStourgeon.  
McKean.  
Maxwell.  
Miller.  
Morgan  
of Liberty.  
Pate.  
Price.  
Robinson.  
Russell  
of Callahan.  
Strickland.  
Turner.  
Vaughan.

Absent—Excused.

Blount.  
Carter of Coke.  
Hughes.

Lusk.  
Merriman.  
Pinkston.

Paired.

Mr. Dodd (present), who would vote "nay," with Mr. Morgan of Robertson (absent), who would vote "yea."

Mr. Pope offered the following amendment to the section of the bill relating to the East Texas Hospital for the Insane:

Amend House bill No. 41 by striking out lines 28 to 38, page 47, and lines 15 to 30, page 48, and insert the following:

Any personal property belonging to said institution necessary to be sold shall only be sold or disposed of by the superintendent and all proceeds from the sale of any such property, and from labor performed, and all proceeds from the sale of crops shall be paid into the State Treasury and shall become a part of the State general fund, and a complete statement of all such transactions shall be made in the annual report of said institution.

All salaries shall be paid in twelve equal monthly installments except as otherwise herein provided, and all employes may receive board except when otherwise stated.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no deficiency shall be created and no warrant shall be issued and no expend-



itures shall be made, nor shall any obligations be incurred which, added to the actual expenditures, will exceed the amounts herein appropriated for either of said purposes.

That if any work be not done or the place not filled by the appointment of a person for whom a salary is herein fixed, then such salary shall lapse and be returned to or left in the State Treasury; and provided further, that no person for whom any salary is herein fixed shall be allowed to draw more than the amount of such salary from any other salary or amount herein fixed or from any fees authorized to be charged or from any other source or from any State fund or funds under the control of the governing authority of such particular institution; and provided further, that if any amount herein fixed for any particular purpose be not used for such purpose in whole or in part the unused portion of such fixed amount shall be returned to or left in the State Treasury.

The superintendent of said institution shall keep an accounting of all purchases made for and on behalf of said institution, and indicate in his annual report as herein required to be made the cost of all purchases which are higher in price than such superintendent would have been required to pay therefor if permitted to take competitive bids and make said purchases himself.

Mr. Quaid moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—57.

Arnold.	Gipson.
Baker of Milam.	Green.
Baldwin.	Hardin of Erath.
Beasley.	Harrington.
Bell.	Harris.
Burmeister.	Henderson
Carpenter	of Marion.
of Matagorda.	Irwin.
Carson.	Jennings.
Carter of Hays.	Jones.
Chitwood.	Lackey.
Coffee.	Lane.
Covey.	McDonald.
Cowen.	McKean.
Dielmann.	McNatt.
Duffey.	Martin.
Dunlap.	Mathes.
Dunn.	Montgomery.
Durham.	Moore.
Edwards.	

Morgan	Smith.
of Liberty.	Sparkman.
Patterson.	Stewart of Reeves.
Pool.	Stiernberg.
Potter.	Sweet.
Purl.	Thrasher.
Quaid.	Wallace.
Russell of Trinity.	Wells.
Sackett.	Wilmans.
Sanford.	Wilson.
Satterwhite.	Winfree.

## Nays—48.

Abney.	Lewis.
Amsler.	Looney.
Barker.	McBride.
Bird.	McDaniel.
Bonham.	McFarlane.
Bryant.	Merritt.
Cable.	Patman.
Carpenter	Perdue.
of Dallas.	Pope.
Collins.	Quinn.
Crawford.	Rogers.
Culp.	Rowland.
Davis.	Shearer.
DeBerry.	Simpson.
Downs.	Stell.
Fields.	Stevens.
Finlay.	Stewart
Greer.	of Edwards.
Hardin	Stewart of Jasper.
of Kaufman.	Storey.
Henderson	Stroder.
of McLennan.	Thompson.
Houston.	Westbrook.
Howeth.	Wessels.
Laird.	Young.

## Absent.

Atkinson.	LeSturgeon.
Avis.	Loftin.
Baker of Orange.	Maxwell.
Barrett.	Melson.
Bobbitt.	Miller.
Davenport.	Pate.
Dinkle.	Price.
Driggers.	Rice.
Faubion.	Robinson.
Frnka.	Russell
Fugler.	of Callahan.
Hendricks.	Shires.
Hull.	Strickland.
Jacks.	Teer.
Johnson.	Turner.
Kemble.	Vaughan.
Lamb.	Williamson.
LeMaster.	

## Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

## Paired.

Mr. Dodd (present), who would vote

"nay," with Mr. Morgan of Robertson (absent), who would vote "yea."

Mr. Wallace offered the following amendment to this section of the bill: Amend House bill No. 41, page 47, line 10, after the word "association" by inserting the following: "no part of which to be used except on State business."

The amendment was adopted.

Mr. Pope offered the following amendment to the section of the bill relating to the Northwest Texas Insane Asylum:

Amend House bill No. 41 by striking out lines 8 to 35, page 51, and insert the following:

Any personal property belonging to said institution necessary to be sold shall only be sold or disposed of by the superintendent and all proceeds from the sale of any such property, and from labor performed, and all proceeds from the sale of crops shall be paid into the State Treasury and shall become a part of the State general fund, and a complete statement of all such transactions shall be made in the annual report of said institution.

All salaries shall be paid in twelve equal monthly installments except as otherwise herein provided, and all employes may receive board except when otherwise stated.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no deficiency shall be created and no warrant shall be issued and no expenditures shall be made, nor shall any obligations be incurred which, added to the actual expenditures, will exceed the amounts herein appropriated for either of said purposes.

That if any work be not done or the place not filled by the appointment of a person for whom a salary is herein fixed, then such salary shall lapse and be returned to or left in the State Treasury; and provided further, that no person for whom any salary is herein fixed shall be allowed to draw more than the amount of such salary from any other salary or amount herein fixed or from any fees authorized to be charged or from any other source or from any State fund or funds under the control of the governing authority of such particular institution; and provided further, that if any amount herein fixed for any particular purpose be not used for such purpose in whole or in part the unused

portion of such fixed amount shall be returned to or left in the State Treasury.

The superintendent of said institution shall keep an accounting of all purchases made for and on behalf of said institution, and indicate in his annual report as herein required to be made, the cost of all purchases which are higher in price than such superintendent would have been required to pay therefor if permitted to take competitive bids and make such purchases himself.

Mr. Quaid moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—57.

Arnold.	McDonald.
Baker of Milam.	McKean.
Baker of Orange.	McNatt.
Baldwin.	Martin.
Beasley.	Mathes.
Bell.	Montgomery.
Burmeister.	Moore.
Carson.	Morgan
Carter of Hays.	of Liberty.
Chitwood.	Patterson.
Coffee.	Potter.
Covey.	Price.
Cowen.	Purl.
Dielmann.	Quaid.
Dinkle.	Russell of Trinity.
Dunn.	Sackett.
Durham.	Sanford.
Edwards.	Satterwhite.
Faubion.	Smith.
Gipson.	Sparkman.
Hardin of Erath.	Stewart of Reeves.
Harrington.	Stiernberg.
Harris.	Sweet.
Henderson	Thrasher.
of Marion.	Turner.
Irwin.	Wallace.
Jennings.	Wells.
Jones.	Wilmans.
Lackey.	Wilson.
Lane.	

Nays—49.

Abney.	Davis.
Amsler.	DeBerry.
Barker.	Downs.
Bird.	Duffey.
Bonham.	Fields.
Cable.	Finlay.
Carpenter	Frnka.
of Dallas.	Green.
Carpenter	Hardin
of Matagorda.	of Kaufman.
Collins.	Houston.
Culp.	Howeth.

Laird.	Shearer.
Lewis.	Simpson.
Loftin.	Stell.
Looney.	Stevens.
McBride.	Stewart
McDaniel.	of Edwards.
McFarlane.	Stewart of Jasper.
Melson.	Storey.
Merritt.	Stroder.
Patman.	Teer.
Perdue.	Thompson.
Pope.	Westbrook.
Quinn.	Wessels.
Rogers.	Young.
Rowland.	

## Absent.

Atkinson.	Kemble.
Avis.	Lamb.
Barrett.	LeMaster.
Bobbitt.	LeSturgeon.
Bryant.	Maxwell.
Crawford.	Miller.
Davenport.	Pate.
Driggers.	Pool.
Dunlap.	Rice.
Fugler.	Robinson.
Greer.	Russell
Henderson	of Callahan.
of McLennan.	Shires.
Hendricks.	Strickland.
Hull.	Vaughan.
Jacks.	Williamson.
Johnson.	Winfree.

## Absent—Excused.

Blount.	Lusk.
Carter of Coke.	Merriman.
Hughes.	Pinkston.

## Paired.

Mr. Dodd (present), who would vote "nay," with Mr. Morgan of Robertson (absent), who would vote "yea."

Mr. Beasley offered the following amendment to this section of the bill:

Amend House bill No. 41, page 50, line 22 of printed bill, by striking out the figures "300.00" for the second year and insert in lieu thereof the figures "600.00."

The amendment was adopted.

Mr. Quaid offered the following amendment to the bill:

Amend House bill No. 41, page 52, by striking out from lines 12 to 33, both inclusive.

The amendment was adopted.

Mr. Wallace offered the following amendment to the bill:

Amend House bill No. 41, page 47, line 10, after the word "association," by inserting the following: "No part

of which to be used except on State business."

The amendment was adopted.

Mr. Rogers offered the following amendment to the bill:

Amend House bill No. 41, page 50, line 6, by striking out the figures "900.00" and inserting "1200.00."

The amendment was lost.

House bill No. 41 was then passed to engrossment.

## HOUSE BILL NO. 41 ON THIRD READING.

Mr. Quaid moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 41 be placed on its third read and final passage.

The motion prevailed by the following vote:

Yeas—95.

Abney.	Henderson
Amsler.	of Marion.
Arnold.	Howeth.
Baker of Milam.	Jennings.
Baker of Orange.	Jones.
Baldwin.	Lackey.
Beasley.	Lane.
Bell.	Lewis.
Bird.	Loftin.
Bonham.	McBride.
Bryant.	McDaniel.
Burmeister.	McDonald.
Cable.	McFarlane.
Carpenter	McKean.
of Matagorda.	McNatt.
Carter of Hays.	Martin.
Chitwood.	Mathes.
Coffee.	Melson.
Collins.	Merritt.
Covey.	Montgomery.
Cowen.	Moore.
Crawford.	Morgan
Davis.	of Liberty.
DeBerry.	Patman.
Dielmann.	Patterson.
Dodd.	Potter.
Downs.	Price.
Driggers.	Purl.
Duffey.	Quaid.
Dunlap.	Quinn.
Dunn.	Rogers.
Durham.	Russell
Edwards.	of Callahan.
Faubion.	Russell of Trinity.
Finlay.	Sackett.
Gipson.	Sanford.
Green.	Simpson.
Hardin of Erath.	Sparkman.
Hardin	Stevens.
of Kaufman.	Stewart of Jasper.
Harrington.	Stewart of Reeves.
Harris.	Stiernberg.

Storey.  
Stroder.  
Sweet.  
Teer.  
Thompson.  
Thrasher.  
Turner.  
Wallace.

Wells.  
Westbrook.  
Williamson.  
Wilmans.  
Wilson.  
Winfree.  
Young.

Nays—10.

Barker.  
Carpenter  
of Dallas.  
Fields.  
Laird.  
Looney.

Pope.  
Rowland.  
Stell.  
Stewart  
of Edwards.  
Wessels.

Present—Not Voting.

Perdue.

Absent.

Atkinson.  
Avis.  
Barrett.  
Bobbitt.  
Carson.  
Culp.  
Davenport.  
Dinkle.  
Frnka.  
Fugler.  
Greer.  
Henderson  
of McLennan.  
Hendricks.  
Houston.  
Hull.  
Irwin.  
Jacks.  
Johnson.

Kemble.  
Lamb.  
LeMaster.  
LeStourgeon.  
Maxwell.  
Miller.  
Morgan  
of Robertson.  
Pate.  
Pool.  
Rice.  
Robinson.  
Satterwhite.  
Shearer.  
Shires.  
Smith.  
Strickland.  
Vaughan.

Absent—Excused.

Blount.  
Carter of Coke.  
Hughes.

Lusk.  
Merriman.  
Pinkston.

The Speaker then laid House bill No. 41 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—90.

Amsler.  
Arnold.  
Baker of Milam.  
Baker of Orange.  
Baldwin.  
Beasley.  
Bell.  
Bird.  
Bonham.  
Bryant.  
Burmeister.  
Cable.  
Carpenter  
of Matagorda.

Carson.  
Carter of Hays.  
Chitwood.  
Coffee.  
Collins.  
Covey.  
Cowen.  
Crawford.  
Culp.  
Davis.  
DeBerry.  
Dielmann.  
Dodd.  
Downs.

Driggers.  
Duffey.  
Dunlap.  
Dunn.  
Durham.  
Edwards.  
Faubion.  
Frnka.  
Gipson.  
Green.  
Greer.  
Hardin of Erath.  
Hardin  
of Kaufman.  
Harrington.  
Harris.  
Henderson  
of Marion.  
Jennings.  
Jones.  
Lackey.  
Lane.  
Lewis.  
Loftin.  
McBride.  
McDonald.  
McKean.  
McNatt.  
Martin.  
Mathes.  
Melson.  
Merritt.  
Montgomery.  
Moore.

Morgan  
of Liberty.  
Patman.  
Patterson.  
Perdue.  
Potter.  
Price.  
Quaid.  
Quinn.  
Rogers.  
Russell  
of Callahan.  
Sackett.  
Sanford.  
Satterwhite.  
Simpson.  
Sparkman.  
Stevens.  
Stewart of Reeves.  
Stiernberg.  
Storey.  
Stroder.  
Sweet.  
Teer.  
Thompson.  
Thrasher.  
Turner.  
Wallace.  
Wells.  
Westbrook.  
Williamson.  
Wilmans.  
Wilson.  
Winfree.  
Young.

Nays—18.

Abney.  
Barker.  
Carpenter  
of Dallas.  
Fields.  
Finlay.  
Houston.  
Howeth.  
Johnson.  
Laird.

Looney.  
McDaniel.  
McFarlane.  
Pope.  
Rowland.  
Stell.  
Stewart  
of Edwards.  
Stewart of Jasper.  
Wessels.

Present—Not Voting.

Rice.

Absent.

Atkinson.  
Avis.  
Barrett.  
Bobbitt.  
Davenport.  
Dinkle.  
Fugler.  
Henderson  
of McLennan.  
Hendricks.  
Hull.  
Irwin.  
Jacks.  
Kemble.

Lamb.  
LeMaster.  
LeStourgeon.  
Maxwell.  
Miller.  
Morgan  
of Robertson.  
Pate.  
Pool.  
Purl.  
Robinson.  
Russell of Trinity.  
Shearer.  
Shires.

Smith. Vaughan.  
Strickland.

Absent—Excused.

Blount. Lusk.  
Carter of Coke. Merriman.  
Hughes. Pinkston.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 8, 1923.

Hon. R. E. Seagler, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has accepted the resignation of Senator Woods as a member of the free conference committee on House bill No. 1, and Senator Burkett was appointed to fill the vacancy.

Respectfully,  
RICHARD BLALOCK,  
Assistant Secretary of the Senate.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 8, 1923.

Hon. R. E. Seagler, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 44, A bill to be entitled "An Act amending Article 3093 of the Revised Civil Statutes of the State of Texas of 1911, by adding a new section following such article to be numbered Article 3093a, providing that any qualified elector under the laws and Constitution who is a Democrat shall be eligible to participate in Democratic primaries, but, declaring that in no event shall a negro participate in a Democratic primary in the State of Texas and declaring ballots cast by negroes as void."

Respectfully,  
RICHARD BLALOCK,  
Assistant Secretary of the Senate.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 8, 1923.

Hon. R. E. Seagler, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the free conference committee

report on House bill No. 10 by the following vote: 23 yeas and 0 nays.

The Senate has granted the request of the House for a free conference committee to adjust the differences between the two houses on House bill No. 1, and the following are appointed to serve on the committee on behalf of the Senate: Senators Cousins, Witt, Woods, Wood and Holbrook.

The Senate has refused to engross Senate bill No. 48 by a vote of 8 yeas and 17 nays.

Respectfully,  
RICHARD BLALOCK,  
Assistant Secretary of the Senate.

#### EMPLOYEE OF THE HOUSE.

The Speaker announced the appointment of the following stenographer, to take the place of Miss Marguerite Williams, resigned:

Mrs. Lucy M. Tew.

The appointment to take effect May 8, 1923.

#### CONFERENCE COMMITTEE ON HOUSE BILL NO. 1.

The Speaker announced the appointment of the following Conference Committee on the part of the House on House bill No. 1:

Messrs. Coffee, Patterson, Beasley, Johnson and Morgan of Liberty.

#### REPORT OF INVESTIGATING COMMITTEE.

The Speaker laid before the House, for consideration at this time, the following report:

Austin, Texas, May 8, 1923.

Hon. T. W. Davidson, President of the Senate, and Hon. R. E. Seagler, Speaker of the House of Representatives.

Sirs: Your committee, appointed by virtue of S. C. R. No. 6, to investigate, inquire into, and report on a speech alleged to have been made by one Hull Youngblood in San Antonio, Texas, April 19, 1923, beg leave to report as follows:

Your committee organized and summoned witnesses to appear before it for the purpose of determining, first, whether said Hull Youngblood made the remarks attributed to him; and, second, whether or not there was any basis in fact for the charges alleged to have been made by him, especially the charge of

corruption against members of this Legislature.

From our investigations we have adduced sufficient evidence to show that said Youngblood made such charges. Thereupon, we called Mr. Youngblood to the stand for the purpose of ascertaining from him what evidence, if any, he had to support such charges. Mr. Youngblood refused to be sworn, or testify, whereupon we attempted to impose a punishment against him for contempt. The Court of Criminal Appeals, in Cause No. 7849, styled *Ex Parte Hull Youngblood*, has held that said committee is without authority to punish witnesses for failure and refusal to give testimony before it. We, therefore, deem further inquiry by this committee useless.

However, during the pendency of the legal proceedings brought to release said Youngblood from the penalty imposed by this committee, a statement in writing, signed and sworn to by said Youngblood, was presented to this committee by his counsel, in which statement said Youngblood stated that he had no evidence or knowledge of any corruption on the part of any member of this Legislature. We, therefore, denounce the charges made by said Youngblood as false, unwarranted, and unbecoming of a citizen of Texas.

This committee being without authority to proceed further, we report the above facts back to your bodies for such further action as the Legislature may deem expedient.

SHIRES,  
PATMAN,  
IRWIN,  
BEASLEY,  
LEWIS,

On part of the House.

HOLBROOK,  
WIRTZ,

On part of the Senate.

Mr. Stewart of Reeves moved that the report be adopted.

Mr. Pope moved as a substitute that the committee be instructed to look up procedure of past Legislatures in such cases and report back their findings to the House tomorrow.

The motion of Mr. Pope prevailed.

#### CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 10.

Mr. Bell called up for consideration at this time the following conference committee report on House bill No. 10:

Committee Room,

Austin, Texas, May 8, 1923.

Hon. T. W. Davidson, President of the Senate, and Hon. R. E. Seagler, Speaker of the House of Representatives.

Sirs: Your Conference Committee appointed to consider the differences between the two houses upon

H. B. No. 10, A bill to be entitled "An Act to tax property passing by will or by descent or by grant or gift taking effect on the death of the grantor or donor; providing for the collection of such tax, and repealing Articles 7487, 7488, 7489, 7490, 7491, 7492, 7493, 7494, 7495, 7496, 7497, 7498, 7499, 7500, 7501, 7502, Revised Civil Statutes of Texas, 1911; also repealing Chapter 21 of the Acts of the First Called Session of the Thirtieth Legislature, Chapter 166, of the Acts of the Regular Session of the Thirty-fifth Legislature, and Chapter 164 of the Acts of the Regular Session of the Thirty-sixth Legislature, and repealing all laws in conflict herewith, and declaring an emergency."

Have met and, after full and free conference, have agreed and do hereby make the recommendation that the following bill be substituted and the Conference Committee substitute in lieu of the original be passed by both houses of the Thirty-eighth Legislature, all of which is respectfully submitted.

BELL,  
SMITH,  
CULP,  
MATHES,  
MAXWELL,

On the part of the House.

STUART,  
LEWIS,  
BLED SOE,  
FAIRCHILD,  
POLLARD,

On the part of the Senate.

H. B. No. 10.

By Smith.

#### A BILL

To be Entitled

An Act to tax property passing by will or by descent or by grant or gift taking effect on the death of the grantor or donor; providing for the collection of such tax, and repealing Articles 7487, 7488, 7489, 7490, 7491, 7492, 7493, 7494, 7495, 7496, 7497, 7498, 7499, 7500, 7501 and 7502, Revised Civil Statutes of Texas, 1911; also repealing Chapter 21 of the Acts of the First Called Session of the

Thirtieth Legislature, Chapter 166, of the Acts of the Regular Session of the Thirty-fifth Legislature, and Chapter 164 of the Acts of the Regular Session of the Thirty-sixth Legislature, and repealing all laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Articles 7487, 7488, 7489, 7490, 7491, 7492, 7493, 7494, 7495, 7496, 7497, 7498, 7499, 7500, 7501 and 7502 of the Revised Civil Statutes of Texas, 1911, Chapter 21, of the Acts of the First Called Session of the Thirtieth Legislature, Chapter 166, of the Acts of the Regular Session of the Thirty-fifth Legislature, and Chapter 164 of the Acts of the Regular Session of the Thirty-sixth Legislature, and all laws in conflict herewith, be and the same are hereby repealed.

Sec. 2. All property within the jurisdiction of this State, real or personal, corporate or incorporate, and any interest therein, whether belonging to inhabitants of this State or to persons who are not inhabitants, regardless of whether property is located within or without the State, which shall pass absolutely or in trust by will or by the laws of descent or distribution of this or any other State, or by deed, grant, sale or gift made or intended to take effect in possession or enjoyment after the death of the grantor or donor, shall, upon passing to or for the use of any person, corporation or association, be subject to a tax for the benefit of the State's general revenue fund in accordance with the following classifications, to-wit:

#### Class A.

Sec. 3. If passing to or for the use of husband or wife, or any direct lineal descendant or ascendant of the decedent, or to legally adopted child or children, or to the husband of a daughter or the wife of a son, the tax shall be one per cent on any value in excess of twenty-five thousand dollars, and not exceeding fifty thousand dollars; two per cent on any value in excess of fifty thousand dollars, and not exceeding one hundred thousand dollars; three per cent on any value in excess of one hundred thousand dollars, and not exceeding two hundred thousand dollars; four per cent on any value in excess of two hundred thousand dollars, and not exceeding five hundred thousand dollars; five per cent on any value in excess of five hundred

thousand dollars, and not exceeding one million dollars, and six per cent on any value in excess of one million dollars.

#### Class B.

Sec. 4. If passing to a religious, education or charitable organization located within this State and the bequest is to be used within this State, or to any city, town or county within this State, or to the State of Texas, or to the United States to be used in this State, the tax shall be one per cent on any value in excess of twenty-five thousand dollars, and not exceeding fifty thousand dollars; two per cent on any value in excess of fifty thousand dollars and not exceeding one hundred thousand dollars; three per cent on any value in excess of one hundred thousand dollars and not exceeding two hundred thousand dollars; four per cent on any value in excess of two hundred thousand dollars, and not exceeding five hundred thousand dollars; five per cent on any value in excess of five hundred thousand dollars and not exceeding one million dollars; and six per cent on any value in excess of one million dollars.

#### Class C.

Sec. 5. If passing to or for the use of a brother or sister, or a direct lineal descendant of a brother or sister of the decedent the tax shall be three per cent on any value in excess of ten thousand dollars and not exceeding twenty-five thousand dollars; four per cent on any value in excess of twenty-five thousand dollars, and not exceeding fifty thousand dollars; five per cent on any value in excess of fifty thousand dollars, and not exceeding one hundred thousand dollars; six per cent on any value in excess of one hundred thousand dollars, and not exceeding two hundred and fifty thousand dollars; seven per cent on any value in excess of two hundred and fifty thousand dollars, and not exceeding five hundred thousand dollars; eight per cent on any value in excess of five hundred thousand dollars and not exceeding seven hundred and fifty thousand dollars; nine per cent on any value in excess of seven hundred and fifty thousand dollars, and not exceeding one million dollars, and ten per cent on any value in excess of one million dollars.

#### Class D.

Sec. 6. If passing to or for the use of an uncle or aunt, or a direct lineal

descendant of an uncle or aunt of the decedent, the tax shall be four per cent on any value in excess of one thousand dollars, and not exceeding ten thousand dollars; five per cent on any value in excess of ten thousand dollars, and not exceeding twenty-five thousand dollars; six per cent on any value in excess of twenty-five thousand dollars, and not exceeding fifty thousand dollars; seven per cent on any value in excess of fifty thousand dollars, and not exceeding one hundred thousand dollars, ten per cent on any value in excess of one hundred thousand dollars, and not exceeding five hundred thousand dollars; twelve per cent on any value in excess of five hundred thousand dollars, and not exceeding one million dollars, and fifteen per cent on any value in excess of one million dollars.

#### Class E.

Sec. 7. If passing to any other person within or without this State, or to any religious, education or charitable organization located without the State of Texas, or to any religious, education or charitable organization located in the State of Texas, or to the United States and the bequest is to be used without this State, or to any other corporation or association not included in any of the classes mentioned in the preceding portions of this act, the tax shall be five per cent on any value in excess of five hundred dollars, and not exceeding ten thousand dollar; six per cent on any value in excess of ten thousand dollars, and not exceeding twenty-five thousand dollars; eight per cent on any value in excess of twenty-five thousand dollars, and not exceeding fifty thousand dollars; ten per cent on any value in excess of fifty thousand dollars, and not exceeding one hundred thousand dollars; twelve per cent on any value in excess of one hundred thousand dollars, and not exceeding five hundred thousand dollars; fifteen per cent on any value in excess of five hundred thousand dollars, and not exceeding one million dollars, and twenty per cent on any value in excess of one million dollars.

Sec. 8. If the property passing as aforesaid shall be divided into two or more estates, as an estate for years or for life and a remainder, the tax shall be levied on each estate or interest separately, according to the value of the same at the death of the decedent. The value of estates for years, estates for life, remainders and annuities, shall be

determined by the "Actuaries Combined Experience Tables," at four per cent compound interest.

Sec. 9. If a testator bequeaths or devises to his executor or trustee property in lieu of commission, the value of such property in excess of reasonable compensation, as determined by the county judge and the State Comptroller of this State, shall be subject to taxation under this chapter.

Sec. 10. A lien shall exist on all property subject to taxation under this act to secure the payment of all taxes, penalties and costs provided for herein; and all persons acquiring any portion of said property shall be charged with notice of the existence of all such unpaid taxes, penalties and costs, and of the lien securing their payment, which lien may be enforced in any suit brought for the collection of said taxes, penalties and costs.

Sec. 11. Every executor, administrator or trustee of the estate of a decedent leaving property subject to taxation under this chapter, and every other person coming into possession of any portion of such estate where there is no administration of such estate, whether such property passed by will or by the laws of descent or distribution, or otherwise, shall file a preliminary report within one month after coming into possession of any such property, in duplicate, one of which shall be filed with the Comptroller of the State and the other with the county clerk of the county wherein such decedent resided at the time of his death, or wherein the principal part of his estate is located, giving the date of the death of such decedent, the approximate value and character of his estate, and the persons entitled to receive same. It shall be the duty of the county clerk to immediately notify the county judge of the filing of such report.

Within six months after the executor, administrator or trustee or person comes into full possession of such estate he shall make report in duplicate, one to the county clerk of the county wherein such decedent resided at the time of his death or of the county in which the principal part of the estate of the decedent is located, and one to the Comptroller of the State. Said report must be made under oath and recorded as a permanent record in the probate court of said county and must give the following information, to-wit:

(a) A list of all real estate, where



located in Texas, including improvements thereon, and the true and full value of such real estate and all improvements thereon at the date of the death of decedent.

(b) A complete list of all live stock showing the location, kind and value thereof.

(c) All moneys on hand or in the bank, regardless of location, whether in this State or outside of this State.

(d) All notes, bonds, certificates, mortgages, stocks and other securities or evidence of indebtedness due the estate, showing the name and residence of those owning the estate, and the kind of bonds owned, the kind of notes, mortgages and stocks and other securities and the name of the corporation, association or company in which stocks or any interest is owned.

(e) The name and address of all persons entitled to such property and the value of such property to each beneficiary.

Sec. 12. No notes, bonds, certificates, mortgages, stocks, securities or other evidence of indebtedness due the estate of a deceased person, and subject to any tax provided for in this act, shall be transferred or delivered to any legatee or heir until the Comptroller of this State issues a notice to the executor, administrator or trustee of such estate, or to their bondsmen, if any there be, stating that all the inheritance taxes due the State of Texas have been paid, which notice shall be authority for any administrator, executor or trustee to deliver such property to the proper legatees or heirs, as the case may be.

Sec. 13. Should any domestic corporation or association transfer to any legatee, or heir, or should an administrator, executor or trustee deliver to any legatee or heir the stocks or bonds of any domestic corporation or association, or deliver any other property before the inheritance tax thereon due the State of Texas is paid, the corporation or association and the administrator, executor, trustee and their bondsmen, shall be liable for said tax and penalty and all costs of collection.

Sec. 14. It shall be the duty of the county attorney, or district attorney where there is no county attorney, or each county in this State to carefully investigate and keep informed concerning the estates subject to the payment of taxes and to see that proper reports are filed as required by Section 11 of

this chapter, and if an administrator, executor or trustee fails or refuses to file said report or reports, as provided in Section 11 of this act, and within the time specified, he shall be guilty of a misdemeanor, and upon conviction thereof he shall be fined in any sum not less than \$100 nor more than \$1000, and it is hereby made the duty of the county attorney, or the district attorney where there is no county attorney, to promptly file complaint or information in the proper court against such administrator, executor or trustee for not making the report or reports as herein required.

Sec. 15. The only deductions permissible under this act are the debts due by the estate, funeral expenses, expenses incident to last illness of deceased, and all Federal, State and county and municipal taxes due at the time of the death of decedent and a full statement of the facts authorizing deductions must be made by duplicate under oath by the executor, administrator or trustee, and one copy filed with the county clerk and the other with the Comptroller before any deductions will be allowed.

Sec. 16. In case of the death of a non-resident of this State owning no property in Texas except stocks or bonds in a domestic corporation or association, and such fact is shown to the satisfaction of the Comptroller of this State, such Comptroller shall value said property, and the administrator, executor or trustee may pay said tax when notified of the amount by the State Comptroller, direct to said State Comptroller, Austin, Texas, who will issue proper receipt and deliver to the State Treasurer, who will keep a record of such payment and forward receipts to the administrator, executor or trustee.

Sec. 16a. Immediately after the filing of reports as required by Section 11 of this act, or as soon thereafter as practical, the county judge shall calculate and determine the amount of taxes due, and shall furnish statement of the same to the Comptroller of the State for verification. If the Comptroller find the tax to be correctly calculated he shall so advise the county judge, whereupon it shall immediately become the duty of the county judge to certify such amount to the collector of taxes, to the executor, administrator or trustee and to the person to whom, or for whose use, the property passes, and said tax shall

be a lien upon such property from the death of the decedent until paid.

Section 16b. The collector of taxes of each county shall, on or before the fifteenth day of each month, pay to the State Treasurer all taxes received by him under this law before the first day of that month, deducting therefrom all lawful disbursements made by him under this act, and also his compensation at the rate of one per cent of all taxes collected under this act.

Sec. 17. No final account of any executor, administrator or trustee shall be allowed by the county judge unless such account shows and said judge finds that all taxes imposed under this law or any property or interest passing through his hands as such have been paid; neither shall the county judge close any estate or permit the delivery of any property to the legatee or heir without first ascertaining whether or not a tax is due under this act, and if no tax is due, such fact must be shown by an instrument in writing filed with the final papers closing said estate.

Sec. 18. If the amount of tax due under this act as shown by such assessment furnished by the county judge and Comptroller is not paid within three months from the date of said assessment, same shall draw two per cent per month until paid, beginning with the date of notice of such assessment, and shall be added to said tax and collected as a penalty. If said tax and penalty are not paid within nine months from the date of such assessment the Comptroller shall so advise the county attorney, or if there is no county attorney in the county, then the district attorney, who must immediately file suit in the district court to foreclose the tax lien as other tax liens are foreclosed.

Sec. 19. The tax herein provided for shall be assessed upon the actual market value of the property in case it has market value, and if there is no market value, then on the real value thereof. The judge of the county court having jurisdiction of the estate of the decedent shall appoint two competent disinterested persons to be approved by the Comptroller as appraisers to fix the value of the property subject to said tax. The appraisers, being first sworn, shall forthwith give notice to all persons known to have any claim or interest in the property to be appraised, including the executor, administrator or trustee of the time and place when they will appraise the same. At such time

and place said appraisers shall appraise such property at its actual market value, if it has a market value, and in case it has no market value, then at its real value at the time of the death of the decedent, and shall thereupon make a report thereof in writing to said county judge and Comptroller, who shall file and keep such report. Each appraiser shall be paid, on the certificate of the county judge, five dollars for each day employed in such appraisal, together with his actual necessary expenses incurred therein; provided, however, that upon agreement of the parties interested to dispense with the appointment of appraisers, the county judge and Comptroller shall appraise the property and make and file a report of such appraisement. If the same decedent shall have property taxable hereunder to more than one person, said appraisement and report shall be made for the property of each of such persons.

Sec. 20. If any person charged with the duty of filing a report under this chapter shall knowingly make a false report he shall be liable for a penalty of not exceeding one thousand dollars, which penalty shall be collected by the county attorney or by the district attorney where there is no county attorney, in the name of the State of Texas, by suit in any court of competent jurisdiction in the county in which the administration is pending, twenty per cent of which penalty shall be retained by the attorney prosecuting such suit as attorney's fees, and the remainder shall be distributed as the taxes collected under this chapter are distributed.

Sec. 20a. For the services performed under the provisions of this act the county attorney and the county judge shall each be allowed two per cent of the taxes collected not to exceed thirty dollars in any one estate. If suit be brought as required by Section 18 of this act the county or district attorney prosecuting same shall receive as compensation therefor five per cent on the amount of the taxes payable hereunder not to exceed in any one case the sum of one hundred dollars, which fee shall be added and collected from said estate in addition to the taxes and penalties herein provided for, and such compensation shall be in addition to all other fees and compensation provided by this act; provided that the aggregate of fees received under this chapter shall not exceed in any one year the sum of two thousand dollars and any fees

earned in addition to said sum shall be considered a portion of the tax and penalties collected and be distributed in the same manner.

Sec. 21. The moneys received by the State Treasurer under this act shall be deposited in the State Treasury to the credit of the general revenue fund.

Sec. 21a. The Comptroller shall prescribe and furnish all forms necessary in making the reports and collecting the tax provided for by this act.

Sec. 21b. All taxes received under this act by any executor, administrator or trustee shall be paid by him to the collector of taxes of the county whose county court has jurisdiction of the estate of the decedent. Upon such payment the collector shall make duplicate receipts thereof, he shall deliver one to the party making payment; the other he shall send to the Comptroller of Public Accounts, who shall charge the collector with the amount thereof, and shall countersign and affix his seal of office to such receipt and transmit same to the party making payment.

Sec. 22. Whenever any debts shall be proven against the estate of the decedent after the distribution of the property on which the tax has been paid and a refund is made by the distributee, due proportion of the tax so paid shall be repaid to him by the executor, administrator or trustee if still in his hands, or by the Comptroller upon warrant on the State Treasurer if said tax has been paid.

Sec. 23. If for any reason administration of the estate of a decedent, leaving property subject to taxation under this law shall not be necessary in this State, except in order to carry out the provisions of this chapter, it shall be in the discretion of the county judge and Comptroller upon filing with each of them a satisfactory inventory of the taxable property by the trustee or owner to dispense with the appointment of an administrator. Upon the filing of such inventory the appraisalment and other proceedings required by this chapter shall be had as in other cases.

Sec. 24. If any section or subsection of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section and subsection thereof irrespective of the fact that any one or more sections or subsections be declared unconstitutional.

Sec. 25. That the provisions of this act may be carried out, and to aid in its enforcement, the Attorney General of the State of Texas is hereby authorized to designate one of his assistants as inheritance tax attorney, who shall at all times advise the State Comptroller upon matters pertaining to this act, and who shall assist in any and all suits necessary for its enforcement.

Sec. 26. Owing to the fact that the present method of ascertaining the amount of inheritance tax due and the method of collecting same is inadequate and does not get the money due the State of Texas, and the further fact that large sums of money due the State as taxes are not being collected, and the fact that the revenue and school funds of this State are badly in need of additional revenue, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule that bills be read in each house on three several days, and that this act take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Pope, further consideration of the report was postponed until 3:30 o'clock p. m. Wednesday.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Baker of Milam:

H. B. No. 231, A bill to be entitled "An Act to amend Part III of Chapter 179 of the Acts of the Regular Session of the Thirty-third Legislature, 'relating to workmen's compensation' as amended by Chapter 103 of the Acts of the Regular Session of the Thirty-fifth Legislature, by adding thereto a section to be known as Section 24, requiring the Texas Employers' Insurance Association to pay such taxes as may now or hereafter be required of private corporations licensed to write workmen's compensation in Texas, and creating an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Hardin of Erath, Mr. Loftin, Mr. Crawford and Mr. Fugler:

H. B. No. 232, A bill to be entitled "An Act to amend Chapter 2, Title 65, Revised Statutes of 1911, by adding thereto Article 4352a, pertaining to the

registration of bonds and prescribing the duties with reference thereto of the Comptroller, his Chief Clerk and Bond Clerk, and validating registration of bonds heretofore registered, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Faubion:

H. B. No. 233, A bill to be entitled "An Act to create the Double Horn Independent School District in Burnet county, including the present Double Horn District No. 32 of the said county; providing a board of trustees therefor, vesting said independent district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the present Double Horn District No. 32 shall continue to act as such until their successors are elected in accordance with the general laws of Texas, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Melson:

H. B. No. 234, A bill to be entitled "An Act to create and provide for a Department of Insurance for the State of Texas, separate and distinct from the Department of Banking of this State; vesting therein and giving to it jurisdiction of all matters, things, powers and functions of the Department of Insurance and Banking, except such as may have been divested therefrom and vested in the Department of Banking, and giving to it all the powers, jurisdictions, things and functions now vested in the State Insurance Commission. Providing that the present two commissioners shall continue to hold their respective positions until their successors are appointed and qualified as now provided by law, and providing for the appointment, term of office, name, compensation, and prescribing the qualifications, powers and duties of the Commissioner of Insurance. The purpose of this act being to consolidate the State Insurance Commission with the department herein created, with the powers, jurisdiction and functions, duties and rights of said commission, other than is herein expressly provided. To require of the Commissioner of Insurance and the two commissioners an oath of office and a bond for the faithful discharge of their

duties. The department hereby created shall be known as the Department of Insurance, and shall be composed of three members. The Commissioners of Insurance herein provided for shall be the chairman and presiding officer of said commission. Each of the other two members of said commission shall be designated and known as commissioners, and giving to the commission all powers to name and appoint all necessary actuaries, stenographers, clerks and other employes, and to discharge same when necessary, requisite to the efficient carrying out of the provisions of this act. Providing that the salaries of the commission and of all employes in said department and all expenses of same shall be paid out of the general revenues of the State as is now provided by law. Providing that the members of the commission and the employes of said department shall be placed and held under a rule of civil service as near as possible. Providing that no commissioner or employe shall be interested in any insurance company except as an insured. Providing that if any section of this act is declared unconstitutional it shall not invalidate the remainder thereof, declaring the purposes of this act, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Bryant, Mr. Cable, Mr. Melson and Mr. Howeth:

H. B. No. 235, A bill to be entitled "An Act to repeal Senate bill No. 281, enacted by the Regular Session of the Thirty-eighth Legislature, it being entitled 'An Act releasing the inhabitants of and property in Hidalgo county for a period of twenty-five years from the payment of taxes levied for State purposes because of great public calamities in said county, as provided in Section 10 of Article 8 of the State Constitution, and providing that said county shall vote bonds of said county to prevent the recurrence of such calamities, and in case of the failure of the county to vote such bonds by or before October 1, 1924, said act shall become null and void, and said taxes collected in the usual manner and paid into the State Treasury, and providing an emergency,' and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Carpenter of Dallas and Mr. Irwin:

H. B. No. 236, A bill to be entitled

"An Act authorizing steam or electric railway companies, street railway companies, interurban railway companies, and other chartered transportation companies, or persons or associations of persons operating the same, or the receivers or lessees thereof, or their officers, agents or employees to issue free transportation to ministers of religion in this State when making intrastate trips; defining ministers of religion, and declaring an emergency."

Referred to Committee on Common Carriers.

By Mr. Lane:

H. B. No. 237, A bill to be entitled "An Act to amend Chapter 12, Acts Thirty-seventh Legislature, First Called Session, 1921, same being an act entitled 'An Act creating the Jacksonville Independent School District in Cherokee county,' by amending Section 1 thereof, redefining the boundaries of said district; continuing the present board of trustees in office; validating all tax levies heretofore made, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Carpenter of Dallas:

H. B. No. 238, A bill to be entitled "An Act to create and provide for a Department of Insurance for the State of Texas separate and distinct from the Department of Banking of this State; vesting therein and giving to it jurisdiction of all matters, things, powers and functions of the Department of Insurance and Banking, except such as may have been divested therefrom and vested in the Department of Banking; and giving to it all the powers, jurisdiction, things and functions now vested in the State Insurance Commission; to provide for a seal of such office; to require of the Commissioner of Insurance an oath of office and a bond for the faithful discharge of the duties. To provide for a deputy commissioner, to define the duties and powers and obligations of the deputy commissioner, and to provide for actuaries and examiners and for clerical help for such department. To amend Chapter 7 of Title 65 of the Revised Statutes of the State of Texas, and particularly to amend Articles 4485, 4486, 4487, 4488, 4489, 4490, 4491 and 4492, and to repeal all laws and parts of laws in conflict herewith, and to declare an emergency."

Referred to Committee on State Affairs.

## SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 44, to the Committee on Privileges, Suffrage and Elections.

Senate bill No. 14, to the Committee on Appropriations.

Senate bill No. 40, to the Committee on Revenue and Taxation.

Senate bill No. 65, to the Committee on Privileges, Suffrage and Elections.

Senate bill No. 83, to the Committee on School Districts.

Senate bill No. 84, to the Committee on School Districts.

Senate bill No. 79, to the Committee on Appropriations.

Senate bill No. 90, to the Committee on Appropriations.

Senate bill No. 91, to the Committee on State Affairs.

Senate bill No. 94, to the Committee on School Districts.

## RELATING TO MEDICAL EXAMINERS' BOARD.

Mr. Shires offered the following resolution:

Whereas, By virtue of the statutes of this State the State Board of Medical Examiners are required to meet at some place designated by them semi-annually and hold examinations for applicants desiring to be admitted to practice medicine; and

Whereas, Said Board of Medical Examiners have decided to hold their next semi-annual meeting in the City of Austin on June 19, 20 and 21, 1923; and

Whereas, There is contemplated that there will be a great number of applicants to be examined; and

Whereas, There is no building or place adequate or sufficient to accommodate the Medical Board and said applicants for this purpose; and

Whereas, Said Board of Medical Examiners have agreed and promised to preserve, protect and see that all property of the State entrusted to their care and use will be returned back in as good condition as received by them; therefore, be it

Resolved, That the House of Representatives do grant to the State Board of Medical Examiners of Texas the right, privilege and authority to use the halls of the House of Representatives

for the purpose herein above set forth for the dates herein mentioned, provided the Legislature is not in session at said time, and that a copy of this resolution be furnished by the Chief Clerk of the House to the Board of Control and the Secretary of the State Board of Medical Examiners.

The resolution was read second time, and was adopted.

#### RELATING TO SENATE BILL NO. 94.

On motion of Mr. Abney, the action of the House ordering Senate bill No. 94 not printed was ordered expunged from the Journal.

#### BILL RECOMMITTED.

On motion of Mr. Stewart of Edwards, House bill No. 160 was recommitted to the Committee on School Districts.

#### BILL RE-REFERRED.

On motion of Mr. Baker of Milam, House bill No. 231 was withdrawn from the Committee on Revenue and Taxation and referred to the Committee on Insurance.

#### ADJOURNMENT.

Mr. Greer moved that the House recess to 7:30 o'clock p. m. today.

Mr. Quaid moved that the House adjourn until 9 o'clock a. m. Wednesday.

The motion of Mr. Quaid prevailed, and the House, accordingly, at 5:45

o'clock p. m., adjourned until 9 o'clock a. m. Wednesday.

#### APPENDIX.

#### STANDING COMMITTEE REPORTS.

The following standing committees have today filed favorable reports on bills as follows:

Agriculture—House bills Nos. 168, 170.

Revenue and Taxation—House bill No. 185.

Roads, Bridges and Ferries—Senate bills Nos. 54, 34, 127, 189.

Public Health—House bills Nos. 214, 212.

Judicial Districts—House bill No. 202; Senate bill No. 21.

Public Lands and Buildings—House bill No. 166.

School Districts—House bills Nos. 181, 213, 199, 215, 205, 129, 128, 206, 197, 218, 190, 216, 222, 211; Senate bills Nos. 56, 67, 68.

Counties—House bill No. 131; Senate bill No. 53.

Reclamation and Conservation—House bill No. 198.

State Affairs—House bills Nos. 158, 152.

Oil, Gas and Mining—Senate bills Nos. 57, 38.

The following standing committee has today filed unfavorable report on bill as follows:

Counties—House bill No. 162.

# Extending Sympathy

to

Hon. J. C. Wilson

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Mr. Bell offered the following resolution:

Whereas, Hon. J. C. Wilson, an honored member of this body, mourns the death of his beloved mother, who departed this life at Nixon, Texas, on the 5th day of May, 1923; therefore be it

Resolved, That his fellow members of this House extend to him our sincere sympathy for the grief he suffers from the home-going of this loved one; and

Resolved further, That a copy of this resolution be delivered to him as a token of our friendship, and as an assurance that we share with him and his family the grief they suffer in this hour of sorrow.

BELL,  
HARRINGTON,  
CHITWOOD,  
MOORE,  
HENDRICKS,  
MATHES,  
PATTERSON.

The resolution was read second time and was adopted by a rising vote.